

From: Ohio House Republican Communications
Sent: Tuesday, January 30, 2018 5:26 PM
Subject: GOP Week in Review 1/22/18 – 1/28/18



OHIO HOUSE OF REPRESENTATIVES

Majority Communications Department

GOP Week in Review

1/22/18 – 1/28/18

Farm and Dairy: Ohio Cattlemen's Association honors family farms

Ohio Rep. Brian Hill received the association's Industry Service Award. Hill, a longtime association member, raises beef cattle on his family farm in Muskingum County, and is currently serving his third term in the Ohio House of Representatives, after serving as a county commissioner for more than six years. ... "It's easy to go to Columbus to fight on your behalf," Hill told the cattlemen Saturday night.

Columbus Dispatch: State lawmakers vote to regulate 'e-bikes'

House Bill 250, introduced by Rep. Tom Brinkman, a Cincinnati-area Republican, would regulate electric bicycles, also called e-bikes, and hold them to many of the same standards as normal bicycles. ... "This new technology in e-bikes will allow more Ohioans to use our wonderful trail network, longer and later in life," Brinkman said.

Dayton Daily News: New bill calls for more transparency in drug prices

"Action is needed to address the rising prescription drug prices to protect Ohio consumers," said state Rep. Scott Lipps, R-Franklin, one of the sponsors of House Bill 479. "Prescription drug pricing in its supply chain is complex and broke and needs to be scrutinized."

Alliance Review: State Rep. Christina Hagan shows support for emergency personnel

"I am honored to discuss legislative matters impacting our community leaders and safety services, and to work toward solutions with the Ohio Fire Chiefs' Association," said Hagan. "I'm thankful for the daily sacrifices of all our Ohio firefighters and first responders."

WHAM: Mom pushes for change after 3 year old denied heart transplant due to Down syndrome

Miamisburg Representative Niraj Antani (R-District 42) is a primary sponsor of the bill and said, "They're told that they won't be able to follow the post operation regimen, their body won't be able to handle it, or that its implied that their life is less worthy and that's wrong."

Sandusky Register: State bill aims to plug orphan wells

"As the representative of a district that is very concerned with the harmful effects of human activity on the environment ... I was proud to co-sponsor House Bill 225," Arndt said. "This legislation will help homeowners that discover abandoned orphan wells on their properties to properly address them."

My Town NEO: Hudson boys cross country team recognized by Roegner, LaRose

"It takes a lot of hard work and dedication to win a state title," Roegner said. "Our Hudson Boys Cross Country Team won the Division I State Championship through steadfast dedication. With an average 3.99 GPA, they are incredible student athletes and have earned the admiration of the state of Ohio."

Columbus Dispatch: Ohio lawmakers going after pharmacy benefit managers

Reps. Scott Lipps, R-Franklin, and Thomas West, D-Canton, say pharmacy benefit management companies (PBMs) are issuing “gag orders” to keep pharmacists quiet about what could be cheaper medicines for their clients, and keeping the extra money for themselves — something the lawmakers hope to ban with new legislation, House Bill 479.

WKSU: Conservative lawmakers renew their push for Ohio to become a right-to-work state

Reps. John Becker and Craig Riedel say their bill would allow voters to decide whether Ohio should be a right-to-work state for public and private sector employees and would put limits on unions to collect dues and spend money on political ads. Riedel says Ohioans should decide this issue, once and for all.

Marion Online: Riordan McClain sworn in as State Representative of the 87th Ohio House District

“Riordan McClain’s experience in the private sector and financial management will surely prove to be a valuable asset to our caucus,” said Speaker Cliff Rosenberger (R-Clarksville). ... “I accept this appointment and will be honored to serve Ohio’s 87th House District as state representative. I am appreciative of all the support that I’ve received through this process and look to carry that forward into a successful term representing our shared values,” said McClain.

Wilmington News Journal: Guest column from Speaker Cliff Rosenberger: Business growth affirms healthy economy

The eighth consecutive year the state has experienced a record number of filings, new businesses have grown more than 46 percent since 2010. This continued progress is a sure sign of economic health — when individuals are thriving and feel comfortable, they are able to invest in establishing their own business.

Portsmouth Daily Times: Rep. Johnson honors 'Burg with state resolution

Ohio State Representative Terry Johnson (R-McDermott) honored the Wheelersburg Pirates’ football program for its state championship run back in the fall.

VanKirk, Robert

From: VanKirk, Robert
Sent: Tuesday, March 20, 2018 5:58 PM
To: 'kgasper@ufcw.org'
Subject: RE: Meeting Request for 3.21.18

Hello Karen,

Thanks for your email. Mr. Dearwester goes to Representative Seitz's church and he would be happy to meet him here. Unfortunately, he is unable to meet Wednesday, however please reach out if you would like to meet on a later date.

Sincerely,

Rob VK

Rob Van Kirk
Sr. Legislative Aide to State Representative Seitz
Ohio House of Representatives
77 S. High Street, 14th Floor
Columbus, Ohio 43215
(614) 466-8258

From: Karen Gasper [mailto:kgasper@ufcw.org]
Sent: Friday, March 16, 2018 9:39 AM
To: Rep30 <Rep30@ohiohouse.gov>
Subject: Meeting Request for 3.21

Dear Representative Seitz,

I am reaching out on behalf of a member, who will be attending our lobby day on 3.21 who resides in your district, Mr. Joe Dearwester who resides at 4337 Turf Lane in Cincinnati. We would like to request a meeting with you. Our schedule allows for meetings from:

- 11:15 am to 12:15 pm
- 2 pm to 4:30 pm

We would like to discuss Right-To-Work and also Paid Family Leave.

Please let me know if you may have availability on that day to meet.

Thank you for considering this request.

Sincerely,

Karen Gasper
Deputy Political Director
UFCW
kgasper@ufcw.org

614.329.8094

VanKirk, Robert

From: Karen Gasper <kgasper@ufcw.org>
Sent: Tuesday, March 20, 2018 7:24 PM
To: VanKirk, Robert
Subject: RE: Meeting Request for 3.21.18

Thank you!

From: Robert.VanKirk@ohiohouse.gov [<mailto:Robert.VanKirk@ohiohouse.gov>]
Sent: Tuesday, March 20, 2018 7:23 PM
To: Karen Gasper <kgasper@ufcw.org>
Subject: RE: Meeting Request for 3.21.18

Hi Karen,

Yes! Mr. Crum is part of our staff and he is looking forward to meeting you tomorrow. Thank you for contacting me and clarifying this. If you have any further questions, please feel free to reach out.

Best,

Rob VK

Rob Van Kirk
Sr. Legislative Aide to State Representative Seitz
Ohio House of Representatives
77 S. High Street, 14th Floor
Columbus, Ohio 43215
(614) 466-8258

From: Karen Gasper [<mailto:kgasper@ufcw.org>]
Sent: Tuesday, March 20, 2018 6:49 PM
To: VanKirk, Robert <Robert.VanKirk@ohiohouse.gov>
Subject: RE: Meeting Request for 3.21.18

Hi Rob,

I spoke with Mr. Michael Crum today and he said he would be happy to meet with us on behalf of Rep. Seitz. We have a meeting scheduled for 3:15 pm tomorrow. Should we still proceed with this meeting with Mr. Crum?

Thank you,

Karen

From: Robert.VanKirk@ohiohouse.gov [<mailto:Robert.VanKirk@ohiohouse.gov>]
Sent: Tuesday, March 20, 2018 5:58 PM
To: Karen Gasper <kgasper@ufcw.org>
Subject: RE: Meeting Request for 3.21.18

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Sincerely,

Rob VK

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Ohio House of Representatives
77 S. High Street, 14th Floor
Columbus, Ohio 43215
(614) 466-8258

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Please let me know if you may have availability on that day to meet.

Thank you for considering this request.

Sincerely,

Karen Gasper
Deputy Political Director
UFCW
kgasper@ufcw.org
614.329.8094

From: Public Policy Law360
Sent: Thursday, January 5, 2017 5:35 AM
To: Rep30
Subject: GOP Import Tax May Be Doomed To Fail



Thursday, January 5, 2017



TOP NEWS

Analysis

GOP Import Tax May Be Doomed To Fail

President-elect Donald Trump's recent tweets threatening import taxes on U.S. companies that manufacture their products overseas has raised the ire of retail groups, and experts say the proposal may violate international treaties while ultimately failing to achieve the stated goal of creating domestic jobs.

VP-Elect Pence Promises Executive Action On Day One

President-elect Donald Trump will start rolling back President Barack Obama's executive actions on a variety of issues on Inauguration Day, Vice President-elect Mike Pence said Wednesday.

Analysis

Trump's Wall Street Ally Pick Signals Enforcement-Light SEC

President-elect Donald Trump's selection of Sullivan & Cromwell LLP partner Jay Clayton to chair the U.S. Securities and Exchange Commission signals a major shift for the Wall Street watchdog, as experts say the M&A attorney is likely to turn the agency's focus from

LAW FIRMS

Allen & Overy
Carter Ledyard
Cleary Gottlieb
Clifford Chance
Covington & Burling
DAC Beachcroft
Dickinson Wright
Drinker Biddle
Earthjustice
Fennemore Craig
Frost Brown Todd
Gibson Dunn
Herbert Smith Freehills
Hogan Lovells
Jordan Ramis PC
Katten Muchin
Klehr Harrison
Kleinbard LLC
Manatt Phelps
Marino Tortorella
Mayer Brown
McElroy Deutsch
Morrison & Foerster
Priddy Cutler
Remy Moose

enforcement both domestically and internationally to cutting the rules companies find most irksome.

Ex-Christie Aide Weathers GWB Scandal To Win WH Job

A former campaign manager for New Jersey Gov. Chris Christie with whom the governor cut ties amid the George Washington Bridge lane closures fallout has been hired as political director in Donald Trump's impending administration, the U.S. president-elect's transition team said Wednesday.

Fla. Legislative Override Proposed For Judicial Decisions

A Florida state representative has filed a proposed constitutional amendment that would allow the Legislature to override a decision by a state court with a two-thirds majority, a move he said is intended to curb judicial overreach.

House Passes Bill Aimed At Last-Minute Executive Rules

House Republicans on Wednesday voted through a bill aimed at rules passed in the waning days of presidential administrations that could allow Congress to reject en bloc rules passed toward the end of President Barack Obama's presidency.

Senate Leaders Gearing Up For Lasting Fight Over High Court

The U.S. Supreme Court may not be getting a replacement for the late Justice Antonin Scalia anytime soon, as leading Republican and Democratic senators are beginning to tussle over the likelihood of a judge nominated by President-elect Donald Trump being confirmed.

BANKING & SECURITIES

Trump Picks Sullivan & Cromwell Partner To Head SEC

Shearman & Sterling
Spencer Fane
Steptoe & Johnson LLP
Sullivan & Cromwell
The Williford Firm LLC
Willkie Farr
WilmerHale

COMPANIES

Alibaba Group Holdings Ltd.
Ally Financial Inc.
American Cable Association
American Federation of Labor and Congress of Industrial Organizations
American Hospital Association
American Petroleum Institute Inc.
American Society of Civil Engineers
Archer Daniels Midland Co.
Barclays Capital Inc.
Berkshire Hathaway Inc.
Charter Communications Inc.
Chevron Corporation
Comcast Corporation
Competitive Carriers Association
DraftKings Inc.
Exxon Mobil Corporation
FanDuel Inc.
Ford Motor Company
General Motors
Goldman Sachs Group Inc.
Grupo Televisa SAB
Immigrant Legal Resource Center
International Brotherhood of Teamsters
Lehman Brothers Holdings Inc.
Moelis & Co.
MoneyGram International, Inc.
NASDAQ OMX Group Inc.

President-elect Donald Trump will nominate Sullivan & Cromwell LLP partner Jay Clayton, a mergers and acquisitions partner with experience in Foreign Corrupt Practices Act enforcement, to replace Mary Jo White as chair of the U.S. Securities and Exchange Commission, Trump's transition team announced Wednesday.

Bill To 'Audit the Fed' Relaunched As Trump Admin. Nears

Republican lawmakers on Wednesday reintroduced legislation that would allow greater scrutiny of the Federal Reserve's monetary policies, reflecting optimism that previously stymied efforts would gain greater traction under a Donald Trump administration.

China IPOs Expected To Jump This Year After Wobbly 2016

Assuming more stable market conditions hold, China is expected to generate a spike in initial public offerings in 2017, according to a report Tuesday by PricewaterhouseCoopers, driven by more homeland listings plus additional Hong Kong issuances now that both markets are better linked.

MoneyGram Wants Out Of States' Unclaimed Property Fight

MoneyGram Payment Systems Inc. has asked the U.S. Supreme Court to keep it out of a dispute between Delaware and several other states on who gets to keep abandoned MoneyGram checks, arguing that it has no legal interest in the case and its involvement could raise constitutional issues.

ENERGY & ENVIRONMENTAL

Builders Can't Skirt Water Permit Regs, Wash. High Court Says

The Supreme Court of Washington has sided with environmentalists and state agencies in a fight with developers over stormwater permit rules, saying the rules can be applied to

NBCUniversal Inc.
National Telephone Cooperative Association
Natural Resources Defense Council
New York City Bar Association
New York University
PricewaterhouseCoopers
Public Company Accounting Oversight Board
Time Warner Cable
Turner Broadcasting System Inc.
Valeo SA
Washington Post Co.

GOVERNMENT AGENCIES

Bureau of Citizenship and Immigration Services
California Natural Resources Agency
Central Intelligence Agency
Congressional Budget Office
Consumer Financial Protection Bureau
Department of Commerce
Executive Office of the President
Federal Aviation Administration
Federal Bureau of Investigation
Federal Communications Commission
Federal Election Commission
Federal Reserve System
Federal Trade Commission
Florida House of Representatives
Gila River Indian Community
Government Accountability Office
Internal Revenue Service
International Trade Administration
Maryland Attorney General's Office

previously approved projects because they do not fall under land use laws that prevent regulations from being applied retroactively.

Tillerson To Cut Exxon Ties If Confirmed As Sec. Of State

Now-former Exxon Mobil Corp. CEO Rex Tillerson will give up control of hundreds of millions of dollars in stock awards and other compensation perks as part of a deal to sever all ties with his former company if he is confirmed as U.S. secretary of state, ExxonMobil said on Tuesday.

NJ Wind Farm Misses Deadline, Shot At \$40M In DOE Funding

A proposed 24-megawatt wind farm off the coast of Atlantic City, New Jersey, remains dead in the water after the company behind the plan missed a year-end deadline that would've made \$40 million in U.S. Department of Energy funding available for the project, the agency said Wednesday.

Calif. High Court Hears CEQA Row Over Coastal Project

A conservancy group asked the California Supreme Court Wednesday to reverse a lower court's finding that Newport Beach properly approved the building of housing and shops on undeveloped coastland known as the Banning Ranch, arguing the city violated the California Environmental Quality Act by failing to identify sensitive wildlife habitats on the site in its environmental impact report.

EPA Will Review Drilling Waste Regs To Settle Enviros' Suit

The U.S. Environmental Protection Agency has agreed to review and potentially update its oil and gas drilling waste disposal rules to settle a suit brought by environmental groups, a move blasted by a Texas energy regulator Tuesday as unnecessarily trampling over state regulation of drilling waste disposal.

National Economic Council
National Labor Relations Board
New Jersey Legislature
Office of Foreign Assets Control
Port Authority of New York & New Jersey
Salt River Pima-Maricopa Indian Community
Securities and Exchange Commission
Social Security Administration
Tohono O'odham Nation
U.S. Department of Agriculture
U.S. Department of Defense
U.S. Department of Energy
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of State
U.S. Department of Transportation
U.S. Department of the Treasury
U.S. Environmental Protection Agency
U.S. Navy
U.S. Office of Personnel Management
U.S. Senate
U.S. Supreme Court

HEALTH & LIFE SCIENCES

Congress Takes First Steps To Repeal Affordable Care Act

Congressional Republicans took the first votes on the path to repealing the Affordable Care Act on Wednesday, as Vice President-elect Mike Pence promised that repeal will be the "first order" of the new administration.

HHS Must Clear Hospital Appeals Backlog, Judge Rules

A D.C. federal judge refused Wednesday to rescind an order requiring the U.S. Department of Health and Human Services to clear a huge backlog of hospital billing claims, despite government assertions that meritless claims will inevitably be paid.

MEDIA & ENTERTAINMENT

Fla. Bill Specifies That Fantasy Sports Are Not Gambling

A bill filed Wednesday in the Florida House of Representatives renews efforts to legalize pay-to-play daily fantasy sports in the state, with the sponsor saying he hopes a simplified approach will lead to passage where proposals introduced in 2016 failed.

Clock Starts On Maryland Daily Fantasy Sports Regulations

Maryland has adopted a series of daily fantasy sports regulations, the state Office of the Comptroller announced Tuesday, becoming the latest state to regulate the industry amid uncertainty over the legality of contests.

PRIVACY

Former Federal Officials Want Probe Into Russia Hacks

A group of prominent former intelligence and foreign policy officials called on Congress on Wednesday to establish an independent

commission to investigate Russian interference in the 2016 presidential election, saying independent study was necessary to properly understand "what we can do to protect our democracy."

TRANSPORTATION & INFRASTRUCTURE

GWB Defendants Ask Court To Toss Novel Convictions

Two people convicted in the George Washington Bridge lane-closing scandal urged a New Jersey federal court Tuesday to toss the guilty verdict based on a recent First Circuit decision, saying that ruling shows courts are reining in such novel uses of federal criminal statutes.

EMPLOYMENT

NLRB Says 6th Circ. Wrong To OK County Right-To-Work Law

The Sixth Circuit wrongly interpreted labor law and broke with about seven decades of legal precedent when it upheld the Hardin County, Kentucky, right-to-work ordinance, the National Labor Relations Board said in a recent amicus brief asking the appellate court to review the decision en banc.

PRIVACY & CONSUMER PROTECTION

White House Revamps Breach Response, Reporting Policies

The White House on Tuesday laid out updated parameters for federal agencies to follow when preparing for and responding to data breaches and for complying with a federal statute that governs the disclosure of the personal information they hold.

GOVERNMENT CONTRACTS

CBO Says Trump's 350-Ship Navy Plan To Cost \$25B Per Year

President-elect Donald Trump's plan for a 350-vessel U.S. Navy could cost around \$25 billion per year, well above the historical average for Navy shipbuilding, and would likely need assistance from Congress, the Congressional Budget Office said in a report Wednesday.

INTERNATIONAL TRADE

With Steel Under Scrutiny, US Keeps Monitoring Tool In Place

The U.S. Department of Commerce will grant a five-year extension to a popular steel import monitoring program, the agency revealed Wednesday, keeping in place a valuable tool for a domestic industry that is fiercely at odds with its overseas competitors.

Small ISPs Ask Pols For Relief From FCC Transparency Rules

Four trade associations representing small cable, broadband and wireless groups asked several lawmakers Tuesday to move forward with legislation to prevent heightened Federal Communications Commission transparency rules from going into effect for small providers, saying their members need certainty.

Azevedo Sees No Opposition In Bid To Remain WTO Chief

Current World Trade Organization Director-General Roberto Azevedo will have no challengers in his effort to secure a second term as the top man in Geneva, the WTO revealed Wednesday.

TAX

Democrats Seek To Block Trump Nominees' Tax Dodges

Four Democratic U.S. senators have reintroduced legislation that would prevent

President-elect Donald Trump's cabinet nominees, several of whom are billionaires, from avoiding millions in taxes when selling assets to comply with ethics rules, according to a Tuesday statement.

Md. Bill Aims To Force Prez Contenders To Reveal Tax Info

Two Maryland Democrats said Tuesday they are introducing a state bill that would require U.S. presidential candidates to release their tax returns to appear on the Maryland ballot, joining other lawmakers in floating legislation as a response to President-elect Donald Trump's refusal to disclose his tax records.

IMMIGRATION

Holder, Covington To Help Calif. Resist Trump Changes

Covington & Burling LLP partner and former U.S. Attorney General Eric H. Holder Jr. will lead the charge in advising the California Legislature on legal challenges from the incoming administration in areas including immigration, health care and the environment, state legislative leaders said Wednesday.

DACA Personal Info Can't Be Used For Deportation, DHS Says

U.S. Department of Homeland Security Secretary Jeh Johnson has told federal lawmakers that the personal information provided by hundreds of thousands of young immigrants in applications for the Deferred Action for Childhood Arrivals program should not be used to deport them except in extreme circumstances.

NATIVE AMERICAN

Ariz. Tribe Asks Judge to Reconsider In Casino Fight

The Tohono O'odham Nation pressed a federal judge on Tuesday to rethink denying its bid for a quick win a suit against the head of Arizona's

gambling department over its right to offer Las Vegas-style gambling near Phoenix, a decision that set the stage for a trial this year.

TELECOMMUNICATIONS

FCC OKs Univision Foreign Ownership Over 25 Percent Limit

The Federal Communications Commission on Tuesday agreed to allow foreign ownership of Univision Holdings Inc. beyond the usual 25 percent limit, permitting business partner Grupo Televisa S.A.B. a larger stake and finding that the ruling won't hurt the public interest.

Obama Renominates Rosenworcel To Second FCC Term

President Barack Obama nominated recently departed Federal Communications Commission Democrat Jessica Rosenworcel to another term on Wednesday, one day after she finished her first term and two weeks before Republican President-elect Donald Trump takes office.

Senators Question Charter, Comcast On Misleading Fees

The top Democrat and Republican on the Senate's Permanent Subcommittee on Investigations said Tuesday that they have sought information from Comcast Corp. and Charter Communications Inc. over confusing bill fees and promotional advertising.

EXPERT ANALYSIS

Key Goals For The Next Secretary Of Transportation

President-elect Trump has stated his intent to nominate Elaine Chao as his secretary of transportation. Chao is the wife of Senate Majority Leader Mitch McConnell, R-Ky., and a consummate Washington insider. To achieve success, she must be a visionary, creative and aggressive leader who will work with a diverse group of stakeholders and hold Congress

accountable in key areas, says Kathryn Thomson of Morrison & Foerster LLP.

Time To Reopen Some DOJ Antitrust Field Offices

President-elect Donald Trump has pledged to spend up to \$1 trillion upgrading America's infrastructure. To help ensure that money is spent free from corruption, the incoming administration should reopen at least two of the four Antitrust Division field offices that were shuttered in January 2013, says Robert Connolly of GeyerGorey LLP.

Small-Employer Relief In Cures Act Includes A Few Hurdles

Tucked at the very end of the recently enacted 21st Century Cures Act is a provision allowing certain small employers to offer their employees a health reimbursement arrangement that need not be "integrated" with a group health plan. Employers should understand, however, that this new vehicle comes with a raft of restrictions, says Kenneth Mason of Spencer Fane LLP.

The Future Of SEC Administrative Proceedings

Last week, the Tenth Circuit in *Bandimere v. U.S. Securities and Exchange Commission* found that the SEC's use of administrative law judges violated the U.S. Constitution. The decision is a significant one, but it may not be the final word, say attorneys with Cleary Gottlieb Steen & Hamilton LLP.

US Sanctions Against Russia: Outlook Under President Trump

President-elect Donald Trump has expressed admiration for Russian President Vladimir Putin, leading many to speculate that Trump's administration may relax U.S. sanctions against Russia. However, Congress has a less favorable view of Russia's role in world affairs,

say Simeon Kriesberg and Jing Zhang of Mayer Brown LLP.

LEGAL INDUSTRY

Same Pay But More Bennies Is The Deal At Many Firms

The legal environment's improved stability spurred more law firms to offer broader benefits packages, while compensation for most jobs at firms remained relatively steady, a new survey found.

Women, Minorities Can't Get Foothold In Firms, Report Says

Women and minorities are still struggling to break through in law firms throughout the country, according to the National Association for Law Placement's annual diversity report, released on Wednesday, with only small gains seen in 2016 among associate and partner ranks.

IP Atty At Herbert Smith Spinoff Charged With Groping Jogger

An Australian lawyer with FPA Patent Attorneys, which maintains an exclusive referral relationship with Herbert Smith Freehills, has been charged with assault after allegedly attacking a female jogger last week in a park near Sydney's North Shore.

Katten Prevails In Del. High Court Charging Lien Appeal

The Delaware high court Tuesday reversed a lower court decision that blocked a Katten Muchin Rosenman LLP charging lien against a \$275,000 fee award that went to a former client for work partially paid for under an hourly fee deal.

Clifford Chance Sees Revenue Rise Amid Euro Business Drop

Despite a revenue dip for Clifford Chance LLP's business in continental Europe in 2016, the global law firm made positive strides elsewhere,

posting a 3 percent bump overall, according to a Jan. 3 financial filing in the U.K.

JOBS

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Law360 | Portfolio Media, Inc, 111 West 19th Street, 5th Floor, New York, NY 10011

From: Public Policy Law360
Sent: Monday, January 9, 2017 5:53 AM
To: Rep30
Subject: Trump Taps Ex-Gibson Dunn Atty For Immigration Policy Job



Monday, January 9, 2017



TOP NEWS

Trump Taps Ex-Gibson Dunn Atty For Immigration Policy Job

An ex-Gibson Dunn attorney and former staffer for the presidential campaign of Sen. Ted Cruz, R-Texas, has been picked for a White House job involving regulatory reform and immigration policy, the Trump transition team announced Thursday as it unveiled a slew of Domestic Policy Council appointments.

Chevron Doctrine Repeal Teed Up For House Vote

The House of Representatives will vote next week to overturn the Supreme Court's longstanding Chevron doctrine, which defers to government agency legal interpretations, as part of a larger campaign to pull back on federal rulemaking powers.

Analysis

4 Changes EEOC May Face Under Trump

While the U.S. Equal Employment Opportunity Commission has not been at the forefront of President-elect Donald Trump's agenda to this point, the commission could soon face alterations to its strategic plan and budget cuts once the new administration and Republican-controlled Congress are in place. Here, Law360

LAW FIRMS

Akin Gump
Arnold & Porter Kaye Scholer
Bailey & Glasser
Bancroft PLLC
Best Best
Blank Rome
Caesar Rivise
Carlton Fields
Chamberlain Hrdlicka
Covington & Burling
Cozen O'Connor
Davis & Gilbert
Dentons
Dorsey & Whitney
Dovel & Luner
Epstein Becker Green
Fish & Richardson
Foley & Lardner
Fox Rothschild
Gardere Wynne Sewell
Gibson Dunn
Greenberg Traurig
Hangley Aronchick
Hogan Lovells
Holland & Knight

examines four potential changes that could befall the agency in the coming years.

Lawmakers, Experts Lay Out Cybersecurity Plan For Trump

A cyber policy task force including a bipartisan pair of federal lawmakers has urged the incoming Trump administration to step up efforts to fight cybercrime and prevent cyberattacks, including by strengthening the U.S. Department of Homeland Security's oversight over cybersecurity.

Trump Picks Ex-Indiana Sen. For Intelligence Chief

Retired Sen. Dan Coats, R-Ind., has been tapped by Donald Trump to serve as the national intelligence director amid sparring between the president-elect and the U.S. intelligence community over Russian interference in the 2016 election.

Analysis

Obama's Fight Against Climate Change Is His Energy Legacy

From sweeping domestic regulations such as the Clean Power Plan to major international deals to reduce greenhouse gas emissions, outgoing President Barack Obama's efforts to combat climate change are the centerpiece of his energy policy legacy, and experts say that legacy that will be difficult for President-elect Donald J. Trump to completely unwind.

Analysis

5 FCA Issues To Watch As Trump Takes Power

The intense False Claims Act enforcement that played out during President Barack Obama's tenure will likely continue during the Trump administration, but the plaintiffs bar may have to carry a bit more weight, experts say. Here are five key issues to watch.

Intel Brief Says Putin Ordered Election Hacks To Aid Trump

Hueston Hennigan

Katten Muchin

Kirkland & Ellis

Kline & Specter

Kobre & Kim

Latham & Watkins

Littler Mendelson

Lynch Cox

Manatt Phelps

Marten Law

Mayer Brown

McDermott Will

Morgan Lewis

Morgan Verkamp LLC

Morrison & Foerster

Pierce Atwood

Quinn Emanuel

Ropes & Gray

Sauer & Wagner

Seyfarth Shaw

Shaheen & Gordon

Shearman & Sterling

Sidley Austin

Siebman Burg

Silverstein & Pomerantz

Skadden

Snell & Wilmer

Squire Patton Boggs

Strasburger & Price

Sullivan & Cromwell

Sullivan & Worcester

Vinson & Elkins

Waller Lansden

White and Williams

Wiley Rein

WilmerHale

COMPANIES

Amazon.com Inc.

A U.S. intelligence report made public Friday pins the impetus for Russian interference with the recent U.S. election directly on Russian President Vladimir Putin, saying he had ordered an "influence campaign" intended to help President-elect Donald Trump win the White House.

BANKING & SECURITIES

SEC Judge Says 10th Circ. Ruling Doesn't Warrant Dismissal

An administrative law judge at the U.S. Securities and Exchange Commission refused Thursday to disqualify himself from or dismiss outright the case of a Kansas man who wanted his proceeding dropped after a recent Tenth Circuit decision saying the hiring — rather than appointment — of ALJs violates the Constitution.

US Chamber Protests Posed Commodities Rules For Banks

The U.S. Chamber of Commerce on Thursday protested a proposed U.S. Federal Reserve rule change tightening the regulations for commodity ownership by banks, saying the agency is overstating the risks and underestimating the economic impact.

ENERGY & ENVIRONMENTAL

Long-Shot Bill Would Ban West Coast Offshore Drilling

A group of six West Coast Democratic senators announced the introduction of the West Coast Ocean Protection Act on Thursday, a bill aimed at permanently prohibiting drilling off America's Pacific Coast, although the plan would have to be approved by a Republican-led Congress and an incoming administration that has pledged support for fossil fuels.

Fed. Gov't Nixes Airgun Seismic Survey Permits In Atlantic

American Bar Association
American Beverage Association
American Cable Association
American Civil Liberties Union
Apple Inc.
Associated Press
Baker Hughes Inc.
CTIA
Center for Strategic and International Studies
Chevron Corporation
Citigroup Inc.
Domino's Pizza, Inc.
Eli Lilly and Company
Facebook
FirstEnergy Corp
General Electric Capital Corp.
General Electric Company
Google Inc.
HSBC Holdings PLC
IMS Health Inc.
International Business Machines Corporation
Ion Geophysical Corporation
JPMorgan Chase & Co.
Kirkland's, Inc.
Marriott International Inc.
Microsoft Corporation
Morgan Stanley
NJ Transit Corp.
National Association of Broadcasters
National Federation of Independent Business
Natural Resources Defense Council
New England Council
New York Times Co.
New York University

The Bureau of Ocean Energy Management on Friday denied six permit applications to conduct airgun seismic surveys off the Atlantic coast, saying there's less need for oil and gas exploration since President Barack Obama removed the area from a five-year oil and gas leasing program.

Gov't Greenlights Emissions Fix For Some VW Diesel Cars

The U.S. Environmental Protection Agency and the California Air Resources Board on Friday announced their approval of a technical modification to a limited number of newer Volkswagen diesel cars found to be skirting emissions standards that will drastically cut the current emissions from the cars.

NJ Ratepayer Advocate Blasts Proposed \$111M Utility Project

The New Jersey Division of Rate Counsel on Friday offered a sharp critique of a FirstEnergy Corp. unit's proposed 10-mile transmission line, questioning the need for the \$111 million project and whether other alternatives have been fully considered.

Fla., Ga. Ordered To Try To Settle Water-Use Dispute

A U.S. Supreme Court-appointed special master on Tuesday ordered Florida and Georgia to the bargaining table to try to hammer out a settlement in their dispute over water from the Apalachicola-Chattahoochee-Flint river basins.

Idaho Loses Protest Over Sage Grouse Habitat Plan

A Washington, D.C., federal judge on Thursday tossed Idaho's challenge to the U.S. Department of Interior and Department of Agriculture's plan to protect the greater sage grouse in the state, ruling Gov. Butch Otter failed to identify an injury that would give him grounds to sue.

Newegg Inc.
North American Electric Reliability Corp.
Overstock.com Inc.
PJM Interconnection LLC
Petroleum Geo-Services
Pfizer Inc.
Public Knowledge
Rockwell Automation Inc.
San Francisco Bar Association
Schlumberger Limited
Snap Inc.
State Bar of California
State Farm
Stepan Co.
T-Mobile USA Inc.
TechFreedom
The Boeing Company
The DIRECTV Group, Inc.
Turner Broadcasting System Inc.
Twitter Inc.
U.S. Chamber of Commerce
U.S. Renal Care Inc.
Universal Health Services Inc.
Volkswagen
Wal-Mart Stores Inc.
Washington Post Co.
Wayfair LLC
Wells Fargo & Co.

GOVERNMENT AGENCIES

Army Corps of Engineers
Bureau of Citizenship and Immigration Services
Bureau of Labor Statistics
Bureau of Ocean Energy Management
California Attorney General's Office

EPA Floats Rule On Toxic Chemical Reporting For Gas Plants

The U.S. Environmental Protection Agency on Friday proposed a rule that would require natural gas processing facilities to publicly disclose more information on chemical releases and other waste management activities.

Enviros' Bull Trout Suit Should Be Tossed, Judge Says

A magistrate judge on Thursday recommended granting the U.S. Fish and Wildlife Service's bid to dismiss a complaint alleging it hasn't done enough to protect the bull trout's cold-water habitat from global warming, saying the court lacked jurisdiction because the plan in question doesn't qualify as a final agency action.

HEALTH & LIFE SCIENCES

Justices Urged To Clarify Standard For Restricting Speech

A group of chiropractors looking to overturn a Kentucky anti-solicitation law that prevents them from alerting car accident victims that they're entitled to free medical benefits has asked the U.S. Supreme Court to decide when content-based restrictions are subject to heightened scrutiny.

CMS Extends Ban On 6 States' Ambulance, Home Health Cos.

The Centers for Medicare and Medicaid Services on Friday again expanded a temporary ban on nonemergency ambulance suppliers and home health care agencies in six states from enrolling in Medicare and Medicaid for six months, saying the prohibition has helped fight fraud and abuse.

DOJ Subpoenas DaVita, Fresenius Over Dialysis Aid Program

DaVita Inc. and Fresenius Medical Care have been subpoenaed by the U.S. Attorney's Office in Boston regarding an arrangement in which their charitable donations fund dialysis

California Environmental Protection Agency
Central Intelligence Agency
Commodity Futures Trading Commission
Dallas Fort Worth International Airport
Delaware Court of Chancery
Department of Commerce
Energy Information Administration
Equal Employment Opportunity Commission
Executive Office of the President
Federal Aviation Administration
Federal Bureau of Investigation
Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Reserve System
Federal Trade Commission
Fish and Wildlife Service
Florida Department of Environmental Protection
Food and Drug Administration
Idaho Legislature
Immigration and Customs Enforcement
Internal Revenue Service
International Monetary Fund
Miami International Airport
Michigan Department of Treasury
NATO
National Aeronautics and Space Administration
National Economic Council
National Highway Traffic Safety Administration
National Labor Relations Board
National Security Agency
National Security Council

treatment for patients, the companies said Friday, the same day they sued the government over a rule change affecting patient insurance coverage.

IP & TECHNOLOGY

Giving Pfizer Rebate Info To Lawmakers Legal, Texas Says

The Texas Health and Human Services Commission on Friday told a Texas federal court that it didn't violate any laws by providing Pfizer Inc.'s drug pricing and rebate information to two state legislators because the public information act provides explicit exceptions for lawmakers.

TRANSPORTATION & INFRASTRUCTURE

FAA Chief Says Drone Flight-Over-People Rule Still In Works

The Federal Aviation Administration chief said Friday that the agency is still ironing out privacy and security concerns before it can finalize proposed regulations allowing the commercial use of small unmanned aircraft systems, or drones, over people for the first time.

NYC Cab Driver Asks High Court To Hear GPS Tracking Case

A New York City taxi driver wants the U.S. Supreme Court to decide on whether drivers tracked via GPS devices in their cabs have Fourth Amendment rights when they didn't own the vehicles at the time the tracking devices were installed, saying that circuit courts have made conflicting rulings on the issue.

REAL ESTATE

Calif. Town Didn't Disclose Wal-Mart-Funded Election

A California appeals court on Thursday partially affirmed a lower court's ruling that found a town council failed to properly notify the public that it

New Jersey Board of Public Utilities

New York Division of Homeland Security & Emergency Services

New York State Department of Financial Services

Office of Federal Procurement Policy

Office of Foreign Assets Control

Office of the Comptroller of the Currency

Securities and Exchange Commission

Standing Rock Sioux Tribe

Texas Health and Human Services Commission

U.S. Army

U.S. Attorney's Office

U.S. Department of Agriculture

U.S. Department of Defense

U.S. Department of Energy

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of State

U.S. Department of the Interior

U.S. Department of the Treasury

U.S. Environmental Protection Agency

U.S. House of Representatives

U.S. Senate

U.S. Supreme Court

Wyoming Legislature

was voting on Wal-Mart Stores Inc.'s offer to pay more than \$700,000 to fund a vote on a proposed 30-acre commercial development that included a Wal-Mart Supercenter

EMPLOYMENT

Kentucky Right-To-Work Bill On Fast Track After House Vote

The Kentucky House of Representatives on Thursday passed a right-to-work bill, putting it on a fast track that could see the proposal become law over the weekend.

PRIVACY & CONSUMER PROTECTION

NY Gov. Calls For Tougher Cybercrime Laws, Response Team

New York Gov. Andrew Cuomo on Friday unveiled a series of legislative priorities and other reforms designed to protect government agencies and citizens from cybercrime, including a proposal to strengthen hacking and identity theft laws as well as the creation of a cyber incident response team for the state.

NH Asks Supreme Court To Reinstate Voting Booth Selfie Ban

New Hampshire's secretary of state has asked the U.S. Supreme Court to reinstate its voting booth selfie ban, saying that the First Circuit erred in finding that the law violated the First Amendment.

IMDb Seeks To Bar Calif. AG From Enforcing Privacy Law

Online movie database IMDb.com asked a California federal judge Thursday to keep the state's attorney general from enforcing a law that requires online entertainment employment boards to remove the ages of film industry people from profiles, saying its constitutional rights will be violated unless the court intervenes.

GOVERNMENT CONTRACTS

Debriefings Don't Lead To More Protests, Agencies Told

The Office of Federal Procurement Policy issued a memo Thursday urging federal agencies to improve the debriefings they give to government contract bidders, saying commonly raised concerns such as debriefings' leading to bid protests are largely incorrect.

Reps Ask Contractor For Info On DOD's \$125B Waste Report

House Oversight Committee members on Thursday asked consulting firm McKinsey & Co. to explain its role in a study that identified \$125 billion in savings for the U.S. Department of Defense, which recently surfaced after the Pentagon reportedly buried it due to a fear of losing funding.

INTERNATIONAL TRADE

Trump Beefs Up New Trade Council With 2 Appointments

President-elect Donald Trump on Thursday added two members to his new White House-level trade advisory panel, tapping defense adviser Alexander Gray and former U.S. Chamber of Commerce Vice President Rolf Lundberg to join his team.

TAX

Wyo. Introduces Bill To Fight High Court's Sales Tax Ruling

Wyoming became the latest state to formally fight a controversial U.S. Supreme Court ruling requiring retailers to have a physical presence in a state to collect transaction taxes after it introduced a bill requiring out-of-state vendors to remit these taxes

Tax Group Urges High Court To Review Mich. Tax Deal Spat

A state tax policy advocacy group has joined the slog over Michigan's decision to retroactively withdraw from a multistate tax agreement, upheld by Michigan's high court in June, urging the U.S. Supreme Court to hear the case.

Philly Urges Pa. Justices To Hear Soda Tax Challenge

The Pennsylvania Supreme Court was urged in a petition Friday to assume special jurisdiction over a pending appeal following the dismissal of a lawsuit challenging the city of Philadelphia's new tax on sugar-sweetened drinks and diet soda.

IMMIGRATION

Immigration Bill Roundup: Religion-Based Lists, Work Visas

Members of the 115th Congress introduced a slew of immigration-related bills during the session's first week, including measures that would seek to block any religion-based registry of immigrants and that would amend the eligibility requirements for obtaining work visas.

Trump Says Mexico Will Repay For Wall, But Questions Loom

Speculation over how the U.S. would pay for a possible border wall kicked up again Friday as President-elect Donald Trump claimed Mexico would eventually reimburse the U.S. for the southern barrier, although it is far from clear how Mexico would be forced to cough up the funds.

Docs Must Meet US Acclaim Standards For Exam Exemption

To be considered a "physician of national or international renown," a status exempting foreign doctors from the U.S. medical licensing requirement, a doctor's achievements leading to "national renown" must be ones that would warrant such a status in the United States, the

U.S. Citizenship and Immigration Services said this week.

NATIVE AMERICAN

Hoeven, Udall Elected To Top Spots On Senate Indian Panel

Sen. John Hoeven, R-N.D., and Sen. Tom Udall, D-N.M., pledged to work across the aisle to support legislation benefiting Native Americans after they were elected Thursday as the new chairman and vice chairman, respectively, of the Senate Committee on Indian Affairs.

TELECOMMUNICATIONS

Broadcasters Slam Microsoft's Vacant Channel Push

Broadcasters on Friday blasted Microsoft Corp. and others' request that the Federal Communications Commission preserve vacant TV channel space for public use, saying the move is lobbying on behalf of Google Inc. to keep the space free for the tech giant's own unlicensed use.

Cable Group Bashes FCC's 5G Cybersecurity Reporting Rule

NCTA – The Internet & Television Association has urged the Office of Management and Budget to reject a Federal Communications Commission rule to require public cybersecurity plan disclosures under its 5G spectrum proposal, disclosures the trade group says are burdensome and could expose companies to hacking.

Q&A

5 Insights From General Electric's Alex Dimitrief

"Data sovereignty? D is a recent trend with important consequences for GE's future as a digital industrial company. The technical challenges alone are immense. But

compounding those challenges are the growing number of countries considering laws that would impede the flow of data across national borders, says Alex Dimitrief, general counsel of General Electric Co.

EXPERT ANALYSIS

In Congress: Obamacare, The Cabinet

Republican leaders in Congress plan to take the initial steps toward repealing and replacing Obamacare this week, hoping to deliver on the campaign promises made by most Republicans over the past six years and by President-elect Trump during the 2016 election cycle, say Richard Hertling and Kaitlyn McClure of Covington & Burling LLP.

Is Restaurant Menu Labeling On ACA Chopping Block?

The Affordable Care Act contains a number of provisions not ordinarily associated with health care, including nutrition labeling of menu items for chain restaurants and retail food establishments. With the Trump administration working to fulfill its repeal and replace campaign promise, Michael Walsh of Strasburger & Price LLP looks at the current status of the menu labeling rule, its viability and some of its untested challenges.

For US Citizens In Israel, Time To Face Up To FATCA

In accord with the U.S. Foreign Account Tax Compliance Act, Israeli financial institutions must now report their U.S. account holders' personal and financial information to Israeli authorities, who will send that information to the IRS. Accordingly, Americans with substantial assets in Israel must either comply with the law's obligations, or prepare for the consequences of enforcement, say Robert Henoch and Will Rosenzweig of Kobre & Kim LLP.

Initial Reactions To Bank Charter Plan For Fintech Cos.

While many financial technology companies will welcome the decision by the Office of the Comptroller of the Currency to provide fintech companies with the option to become chartered as special-purpose national banks, some banks and state regulators may have some concerns, say attorneys with Latham & Watkins LLP.

Time Is Running Out For Auto Cybersecurity Standards

According to a new report from Billington Cybersecurity, the automotive industry needs to adopt tougher cybersecurity standards for autonomous vehicles. However, at a time when we cannot wait to create a defense, legislation aimed at establishing federal standards to secure automobiles and protect drivers' privacy is failing to pass, says Jonathan Michaels of MLG Automotive Law APLC.

New Water Act Is A 'WIIN' For Infrastructure

Last month, in a strong display of bipartisanship in an otherwise tense post-election political climate, Congress passed the Water Infrastructure Improvements for the Nation Act. The law includes certain provisions that may be of particular interest to private sector entities pursuing investments in the water sector, including investments through public-private partnerships, says Paul Epstein of Shearman & Sterling LLP.

LEGAL INDUSTRY

2 Law Firms Ring In The New Year With Associate Raises

Philadelphia-based Blank Rome LLP is set to join the ranks of law firms that pay associates \$180,000-a-year base salaries, the firm confirmed Friday, while California litigation boutique Dovel & Luner LLP has upped its game with \$200,000 salaries for first-year associates.

Litigation Is Being Diced Up And Doled Out, Paper Says

Clients are increasingly unbundling legal services in an attempt to control costs, doling out bits and pieces of litigation to contract attorneys, alternative legal services providers and others, leaving law firms to grapple with a shifting role in client matters, according to a forthcoming academic paper.

A Map Of Kirkland's Conflict Maze In Turkish Trader Case

The conflict knots around appellate all-star Paul Clement and the Kirkland & Ellis LLP team representing a Turkish trader accused of defrauding megabanks also on the firm's client roster have produced a few unusual proposed solutions. Here are some key points about the Kirkland conflict conundrum.

GC Cheat Sheet: The Hottest Corporate News Of The Week

Google faces a U.S. Department of Labor suit for refusing to hand over employee data, business groups rally against an Federal Trade Commission data leak action, and a Delaware Supreme Court decision gives lawyers more leeway to claim a piece of clients' winnings. Those stories top the corporate legal news you may have missed this past week.

Legal Sector Sees End Of Year Bump With 2,000 New Jobs

The legal sector finished 2016 on a high note, adding 2,000 jobs in December to reach a level not seen since 2013, the jobs report released Friday by the Bureau of Labor Statistics found.

In Case You Missed It: Hottest Firms And Stories On Law360

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week.

Law360 Seeks Questions From Law Firm Associates

Is there something you have always wanted to know from a law firm partner's perspective — but were afraid to ask? A new Law360 column may have the answer.

JOBS

Search full listings or advertise your job opening =

Legal Program Director
Riverkeeper, Inc.
Ossining, New York

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From: Republican Liberty Caucus of Ohio
Sent: Monday, January 9, 2017 12:21 PM
To: info@rlcoh.org
Subject: REPUBLICAN LIBERTY CAUCUS OF OHIO SEES OPPORTUNITY IN ELECTION OF TIMKEN TO LEAD ORP

REPUBLICAN LIBERTY CAUCUS OF OHIO SEES OPPORTUNITY IN ELECTION OF TIMKEN TO LEAD ORP

(Columbus, Ohio) January 9, 2017: The Republican Liberty Caucus of Ohio (RLCOH) congratulates Jane Timken in her election as Chairwoman of the Ohio Republican Party.

While many have correctly framed this race between Matt Borges and Jane Timken as a battle between the Kasich and Trump camps, there is much more here than first meets the eye.

Says RLCOH Chairman, Bill Yarbrough, "We were very excited to see Ms. Timken run on a pledge to correct some very specific problems with the ORP and are confident these matters will be addressed.

Specifically, the RLCOH has been vocal about:

- ORP leadership violating its own by-laws in advocating for the defeat of specific Republican candidates for office.
- ORP leadership expressing reluctance to stand for liberty ideals in a party platform like Right to Work, more freedom, less regulation, less taxation, and smaller budgets.
- ORP leadership utilizing party funds for questionable practices.

Ms. Timken appears poised to tackle these issues head-on.

RLCOH Board member Ann Becker cast her vote for Ms. Timken as a State Central Committee member from Butler County. "Jane has the leadership style needed to make the Ohio Republican Party one of the strongest parties in the nation. Her focus on transparency and inclusiveness of differing ideas will help strengthen the relationship between grassroots Republicans and the Party. I am excited to work with her."

-30-

The Republican Liberty Caucus is a 527 voluntary grassroots membership organization dedicated to working within the Republican Party to advance the principles of individual rights,

limited government and free markets. Founded in 1991, it is the oldest continuously-operating organization within the Liberty Republican movement.

More information on the Republican Liberty Caucus of Ohio is available at <http://www.rlcoh.org>. The Republican Liberty Caucus of Ohio is on Facebook at <http://www.facebook.com/RLCOHIO>, and Twitter at <http://www.twitter.com/rlcohio>.

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Contact: Mathew Erickson
Republican Liberty Caucus of Ohio
PO Box 486
New Albany, OH 43054

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Email: info@rlcoh.org

Website: <http://rlcoh.org>
Follow us on [Facebook](#) and [Twitter](#)!

From: Public Policy Law360
Sent: Tuesday, January 10, 2017 6:03 AM
To: Rep30
Subject: Law360 Names Practice Groups Of The Year



Tuesday, January 10, 2017



TOP NEWS

Law360 Names Practice Groups Of The Year

Law360 congratulates the winners of its 2016 Practice Group of the Year awards, the law firms that racked up victories in litigation and closed the big deals to make their mark among clients and throughout the legal industry.

The Firms That Dominated In 2016

Law360's Firms of the Year rose above the competition in 2016 by earning a combined 20 Practice Group of the Year awards on the strength of work that helped their clients attain game-changing judgments and close record deals.

Analysis

Obama Leaves Behind Mixed Legacy On Bank Regulations

When President Barack Obama exits office this month, he will leave behind a far safer banking system than the one he inherited in 2009, but observers say that for all of the sweeping changes his administration put in place, his legacy on financial regulation will be mixed.

Analysis

Fintech Firms Worry Trump Tax Plan Will Leave Them Behind

LAW FIRMS

Akin Gump
Alston & Bird
Andrews & Springer
Arent Fox
Arnold & Porter Kaye Scholer
Baker & McKenzie
Baker Botts
Bass Berry
Bernstein Litowitz
Beveridge & Diamond
Bird & Bird
Boies Schiller
Bowman and Brooke
Center for Constitutional Litigation
Chadbourne & Parke
Cleary Gottlieb
Cohen Milstein
Cooley
Covington & Burling
Cravath Swaine
Crowell & Moring
DLA Piper
Davis Polk
Davis Wright Tremaine
Dean Ringers

Plans laid out by President-elect Donald Trump and the Republican-led Congress to advance corporate-only tax reform without simultaneously tackling individual income taxes has financial-technology startups and other entrepreneurs worried about staying competitive against larger corporations in 2017.

Analysis

Future Of Wellness Program Regs Murky After Block Denied

New Equal Employment Opportunity Commission rules setting parameters for employer-sponsored wellness programs took effect Jan. 1, days after surviving a preliminary injunction request rooted in worries they threaten worker privacy. The rules' long-term future, however, remains in doubt, as the judge left the door open for a permanent injunction down the road based on the rules' "complex interaction" with various federal laws.

Analysis

How The GOP May Undo Wheeler's Telecom Legacy

Republicans who have long complained of what they call an activist and wrongheaded agenda at Chairman Tom Wheeler's Federal Communications Commission are preparing to take control of Congress and the White House, and experts say they see three ways the GOP may seek to reverse key elements of his legacy.

House OKs Health Care, Sports Medicine Bills

The U.S. House of Representatives passed a series of bills surrounding access to health care Monday, including one meant to ensure sports medicine professionals are properly covered by their medical malpractice insurance while traveling with teams across state lines.

Barring Out-Of-State Attys Is 'Discrimination,' DC Circ. Told

A multidistrict attorney advocacy group urged a D.C. Circuit panel Monday to upend a lower court ruling that left intact an allegedly

Debevoise & Plimpton
Dentons
Dewey & LeBoeuf
Diamond McCarthy
Dorsey & Whitney
Faegre Baker
Fenwick & West
Fish & Richardson
Fried Frank
Frost Brown Todd
Gibson Dunn
Goodwin
Greene Broillet
Hagens Berman
Hilyard Bogan
Hogan Lovells
Hunton & Williams
Irell & Manella
Jackson Lewis
Jenner & Block
Jones Day
Kasowitz Benson
Katten Muchin
Keker & Van Nest
Keller and Heckman
Kelley Drye
King & Spalding
Kirkland & Ellis
Kramer Levin
Labaton Sucharow
Latham & Watkins
Lieff Cabraser
Littler Mendelson
Mayer Brown
McAfee & Taft
McDermott Will
McGuireWoods
McKool Smith

discriminatory rule restricting out-of-state attorneys from practicing in the district without first passing its bar exam, in violation of congressional intent and U.S. Supreme Court precedent.

BANKING & SECURITIES

SEC, Timbervest Disagree Over Due Process, Industry Bars

The U.S. Securities and Exchange Commission and Atlanta-based investment adviser Timbervest LLC filed competing briefs Friday in the D.C. Circuit, disagreeing over whether the agency's in-house court is biased and whether time limits on agency sanctions apply to associational bars.

Paylocity Seeks Del. High Court Fee-Shifting Bylaw Review

Paylocity asked the Delaware Chancery Court late Friday to allow an appeal of its December decision that the First State's ban on fee-shifting bylaws applies to one of the company's rules, arguing the Delaware Supreme Court should review a ruling that will affect all corporations formed in the state.

ENERGY & ENVIRONMENTAL

Congressman To Try Again With Grand Canyon National Bill

A bill to permanently protect an area near the Grand Canyon — which includes sacred Native American cultural sites and ecologically sensitive regions — from new uranium mining was reintroduced by U.S. Rep. Raul Grijalva, D-Ariz., on Friday, who expressed "profound disappointment" in the Obama administration's decision not to establish a national monument there.

NY Nuke Plant Subsidies Flout Feds, Power Coalition Says

Power providers and energy groups challenging New York state's plan to subsidize three

Mets Schiro
Miller & Chevalier
Morgan Lewis
Morrison & Foerster
Morvillo Abramowitz
Nossaman LLP
O'Melveny & Myers
Orrick Herrington
Outten & Golden
Patterson Belknap
Paul Hastings
Paul Weiss
Pillsbury Winthrop
Pirkey Barber
Priddy Cutler
Proskauer Rose
Quinn Emanuel
Reed Smith
Robbins Geller
Rogers & Hardin
Ropes & Gray
Sanford Heisler
Seward & Kissel
Seyfarth Shaw
Shearman & Sterling
Sheppard Mullin
Shook Hardy
Shulman Rogers
Simpson Thacher
Sirote & Permutt
Skadden
Spiegel & McDiarmid
Sprague & Sprague
Squire Patton Boggs
Steptoe & Johnson LLP
Sullivan & Cromwell
Susman Godfrey
Sutherland Asbill

struggling nuclear power plants as part of its clean-energy program said Friday that the state hasn't cited a single case in which a similar program survived a federal preemption and U.S. Constitution commerce clause challenge.

HEALTH & LIFE SCIENCES

Wrongful-Birth Ban Floated In Mississippi Legislature

A Mississippi lawmaker proposed legislation Thursday that would bar "wrongful-birth" damages

IP & TECHNOLOGY

Arent Fox, MWE Attys Among New USPTO Advisory Members

The U.S. Patent and Trademark Office rolled out a slew of new members for its advisory committees on Monday, placing a longtime member from Arent Fox LLP as chair of one group and bringing on fresh faces from McDermott Will & Emery LLP, Mayer Brown LLP and Jones Day.

TRANSPORTATION & INFRASTRUCTURE

Supreme Court Rejects Flight-Sharing Company's Appeal

The U.S. Supreme Court rejected on Monday Flytenow Inc.'s request to consider an appeals court decision that affirmed the Federal Aviation Administration's determination that pilots who post on its flight-sharing website must have commercial licenses.

Rail Unions Sue Christie, NJ Transit Over Engineer DUI Law

A pair of railroad labor unions filed suit Monday in New Jersey federal court to undo a state law that prohibits New Jersey Transit engineers from operating passenger trains if they have a suspended or revoked driver's license due to a

Troutman Sanders
Venable LLP
Vinson & Elkins
Volkov Law Group LLC
Wachtell Lipton
Weil Gotshal
White & Case
Wiley Rein
Williams & Connolly
WilmerHale
Wilson Sonsini

COMPANIES

AARP Inc.
AT&T Inc.
Alcoa Inc.
America Fujikura Ltd.
American Bankers Association
American Federation of Labor and Congress of Industrial Organizations
American International Group Inc.
Association of Tennis Professionals
Braskem SA
CTIA
Center for Biological Diversity Inc.
Consumer Action
Consumer Federation of America
Consumer Reports
Dell Inc.
Dow Chemical Co.
Dynergy Inc.
E. I. du Pont de Nemours and Company (DuPont)
EMC Corporation
Eide Bailly LLP
Electronic Frontier Foundation
Entergy Corporation
Equifax Inc.

DUI conviction, saying it is preempted by federal law.

EMPLOYMENT

Ky. Gov. Signs Fast-Track Right-To-Work Bill

Kentucky became the 27th so-called right-to-work state on Saturday when Gov. Matt Bevin signed a bill making it illegal to require that workers pay union dues as a condition of employment, four days after it was introduced by a new Republican majority in the Kentucky House of Representatives.

OSHA Injury Reporting Rule, Database Ripped By Chamber

The U.S. Chamber of Commerce and other industry groups are looking to prevent the Occupational Safety and Health Administration from implementing its injury and illness recordkeeping reporting rule, saying the proposed online database violates businesses' First Amendment rights and oversteps OSHA's authority.

NY Aims To Ban Wells Fargo-Styled Scammers From Banking

New York Gov. Andrew Cuomo pitched banning from the banking and insurance industries "bad actors" who commit frauds like Wells Fargo & Co.'s opening of thousands of unauthorized accounts to boost its sales numbers, according to a proposal Sunday from the governor's State of the State address.

NLRA Preempts Ill. Town's Right-To-Work Law, Judge Say

An Illinois town can't enforce a union-weakening "right-to-work" ordinance because it's preempted by federal labor law, an Illinois federal judge ruled on Saturday.

Ex-Pa. Justices Drop Judicial Retirement Age Vote Challenge

Exelon Corporation
Facebook
Fannie Mae
Freddie Mac
Friedman LLP
Google Inc.
Home Depot, Inc.
International Brotherhood of Electrical Workers
International Brotherhood of Teamsters
International Union Of Operating Engineers
Kmart Corp.
Liberty Mutual
Lyft Inc.
Microsoft Corporation
NBCUniversal Inc.
NFL Enterprises LLC
NJ Transit Corp.
NRG Energy Inc.
National Association of Home Builders
National Association of Manufacturers
New York Times Co.
Och-Ziff Capital Management Group LLC
Odebrecht SA
Orthofix International N.V.
Public Knowledge
Spokeo Inc.
SunEdison LLC
Talen Energy Corp.
TeliaSonera AB
Teva Pharmaceutical Industries Limited
Timbervest LLC
U.S. Chamber of Commerce
United Brotherhood of Carpenters

The firm representing two former Pennsylvania Supreme Court justices in their fight against what they argued was a misleading ballot referendum to raise the mandatory retirement age for state judges said Friday it would not appeal a recent decision dismissing their challenge.

Unions Cite Ill. Judge's RTW Ruling In Ky. County Appeal

A group of Kentucky unions, including chapters of the AFL-CIO, told the Sixth Circuit on Monday that a recent Illinois federal judge's ruling that struck down a local right-to-work ordinance supports their argument that the appellate court incorrectly upheld a similar ordinance enacted by Hardin County, Kentucky.

PRIVACY & CONSUMER PROTECTION

11th Circ. Won't Revive Privacy Suits Over Fla. Driver Info

The Eleventh Circuit on Monday affirmed the dismissal of a Florida couple's cases against local governments and their workers over allegedly improper access of their personal information through state driver and motor vehicle records, ruling that their claims are time-barred.

5th Circ. Asked To End Block Of Transgender Bathroom Rule

The U.S. government on Friday asked the Fifth Circuit to overturn an injunction blocking an Obama administration rule incorporating gender identity discrimination as part of sex discrimination under Title IX, calling the injunction overbroad and unnecessary.

Sens. To Push For Greater Russia Sanctions After Hacks

Senior senators on the Armed Services Committee plan on introducing bills that would target Russia's financial and energy sectors, in response to the campaign intended on using hacks and other measures to interfere in the

United States Steel Corporation
Verizon Communications
VimpelCom Ltd.
Wal-Mart Stores Inc.
Wells Fargo & Co.
Zimmer Biomet Holdings Inc.

GOVERNMENT AGENCIES

Bureau of Industry and Security
Central Intelligence Agency
Commodity Futures Trading Commission
Commonwealth of Kentucky
Consumer Financial Protection Bureau
Delaware Court of Chancery
Department of Commerce
Equal Employment Opportunity Commission
European Commission
Federal Aviation Administration
Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Energy Regulatory Commission
Federal Railroad Administration
Federal Reserve System
Financial Stability Oversight Council
Florida Department of Highway Safety and Motor Vehicles
Food and Drug Administration
Internal Revenue Service
International Trade Administration
Mine Safety and Health Administration
National Institutes of Health
National Labor Relations Board
Navajo Nation

U.S. presidential election, they said over the weekend.

Reps. Reintroduce Widely Supported Email Privacy Act

A pair of D.C. lawmakers on Monday reintroduced federal legislation aimed at barring the government from accessing stored electronic communications held by service providers without a warrant, a proposal which received wide bipartisan support last year but ultimately stalled in the U.S. Senate.

AEROSPACE & DEFENSE

DHS Says Election System Is 'Critical Infrastructure'

U.S. Department of Homeland Security Secretary Jeh Johnson on Friday announced that he was designating the country's election systems as critical infrastructure, saying that the move will make the systems a priority for DHS protection, in the wake of increasingly sophisticated cyberattacks.

Sikorsky, DOD Get 9th Circ. Reversal Of FOIA Document Bid

The Ninth Circuit on Friday reversed a Freedom of Information Act order requiring Sikorsky to hand over defense contracting documents to the American Small Business League, finding that certain information involving the aircraft manufacturer is protected from disclosure to competitors.

INTERNATIONAL TRADE

Feds Revise Export Controls On Spacecraft

The U.S. departments of State and Commerce on Monday issued final rules adjusting export controls on satellites and other similar spacecraft and related equipment, loosening restrictions on exports of certain remote imaging devices, among other changes.

Nuclear Regulatory Commission
Occupational Safety and Health Administration

Office of the Comptroller of the Currency

Securities and Exchange Commission

U.S. Attorney's Office

U.S. Department of Agriculture

U.S. Department of Defense

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of the Interior

U.S. House of Representatives

U.S. Patent and Trademark Office

U.S. Senate

U.S. Supreme Court

Commerce To Form Trade Enforcement Advisory Council

The U.S. Department of Commerce is set to establish an advisory council on trade enforcement to make recommendations about how to ensure compliance from trade partners and to enhance the country's commercial competitiveness, according to a notice in the Federal Register set to publish on Tuesday.

US Raps China For Shortcomings In IP, Steel, Antitrust Policy

Nearing the end of its tenure, the Obama administration on Monday gave a stern rebuke to China for its failure to obey a litany of World Trade Organization rules, ripping Beijing for its shortcomings in intellectual property rights enforcement, shady competition laws and protectionist steel policies.

TAX

High Court Snubs Michigan Health Plan Tax Dispute

The U.S. Supreme Court declined Monday to take up Self-Insurance Institute of America Inc.'s challenge to a Michigan tax on health insurance plans, despite having told a lower appeals court in March to reconsider its upholding of the tax.

States Look For Quick Win In Obamacare Medicaid Tax Row

Six states moved for a win in their fight against the Affordable Care Act tax levied on state Medicaid managed care organizations, telling a Texas federal judge on Friday that the fee exceeds the federal government's authority and violates the U.S. Constitution.

NATIVE AMERICAN

NY, Entergy Strike Deal To Close Indian Point Nuke Plant

New York state officials and Entergy Corp. said Monday that they've brokered a deal to shut

down the Indian Point nuclear plant just north of New York City by 2021, ending a lengthy fight over a facility opponents say poses environmental and safety risks to the largest metropolitan area in the U.S.

TELECOMMUNICATIONS

Groups Urge FCC Review Of Wireless Roaming Charges

The Federal Communications Commission should examine the impact of international roaming fees from background data on smartphones to ensure wireless customers aren't being taken advantage of, a group of consumer advocates said Friday.

Blackouts Show Need For Retransmission Reform, FCC Told

The American Television Alliance pushed the Federal Communications Commission on Friday to consider again its rules guiding negotiations between pay-TV providers and broadcasters, saying widespread programming blackouts demonstrate that current rules aren't protecting the public.

FCC Warns TV Stations Over Political Transparency Issues

The Federal Communications Commission on Friday reprimanded several TV stations for failing to follow requirements designed to ensure transparency about political advertising in 2014 and 2016, clarifying its rules and declining to pursue enforcement but also warning of possible future action.

EXPERT ANALYSIS

FCPA Predictions For 2017

Everyone is predicting major changes in the U.S. Department of Justice's Foreign Corrupt Practices Act enforcement. I do not share this view. Frankly, FCPA enforcement is more bipartisan than other controversial enforcement programs, and the DOJ's FCPA program is very

profitable, says Michael Volkov, CEO of The Volkov Law Group LLC and a former federal prosecutor.

An Unwelcome Gift From The IRS On Conservation Easements

Just before Christmas, the IRS issued Notice 2017-10, declaring some conservation easement donations to be "listed transactions," and giving a chill to year-end giving plans. The agency's move was arbitrary and ham-fisted, made without opportunity for constructive comment, and endangers this vital conservation funding mechanism, say Ronald Levitt and David Wooldridge of Sirote & Permutt PC.

Easing The Process For Requesting Experimental Drugs

The 21st Century Cures Act passed last month includes a key provision that will require pharmaceutical companies to publicly provide policies for evaluating experimental drugs requests. This law ensures that seriously ill patients in search of their last hope will at least know how to contact pharmaceutical companies, say Ross Galin and Aaron Shapiro of O'Melveny & Myers LLP.

LEGAL INDUSTRY

Firm Leaders Tepid On Economy But Expect Growth, Citi Finds

Law firm leaders have a tepid outlook on the strength of the U.S. economy and the health of the legal industry for the first half of 2017, according to a Monday report from Citi Private Bank, but remain more cautious about what to expect on a global scale.

Clerks Might Not Get Coffee, But Can Sway Justices: Study

Justices of the U.S. Supreme Court may seem like a group making decisions that can alter the legal and political landscape all on their own, but justices are often influenced in the way they

vote on cases by their clerks, according to a recent study by several legal scholars.

Dewey Judge Seeks DA Input On Cooperator Deal Testimony

The New York state judge overseeing the upcoming retrial of two former Dewey & LeBoeuf LLP executives on Monday gave prosecutors until the end of the week to respond to a defense motion seeking to grill the government's star witness about the circumstances that led him to get a new plea deal in exchange for his ongoing cooperation.

Alleged Law Firm Hackers Hit With SEC Injunction

A New York federal judge on Monday granted a request by the U.S. Securities and Exchange Commission for a preliminary injunction and asset freeze against four Chinese hackers accused of reaping \$4 million in illegal profits using insider information about pending corporate deals hacked from the computer systems of two top New York law firms.

Supreme Court Won't Review Calif., NJ Admission Restrictions

An advocacy group dedicated to breaking down jurisdictional practice barriers for lawyers lost on Monday the final round of challenges to rules in California and New Jersey on out-of-state attorneys.

Howrey Trustee Aims To Collect From 2 More Ex-Partners

Howrey LLP's trustee filed two new cases against former partners of the long-defunct firm over unpaid tax obligations, claiming in a pair of adversary proceedings Monday that the European partners had skipped out on their payments and contractual obligations.

JOBS

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Ossining, New York

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From: Public Policy Law360
Sent: Thursday, January 12, 2017 5:46 AM
To: Rep30
Subject: House Passes Bill Ending Chevron Deference



Thursday, January 12, 2017



TOP NEWS

House Passes Bill Ending Chevron Deference

The U.S. House of Representatives passed a package of bills Wednesday aimed at regulatory agencies, which included ending the doctrine of judicial deference to agency legal interpretations, over Democratic objections the law would grind rulemaking to a halt.

Trump Says Supreme Court Pick Coming Soon

President-elect Donald Trump said during his press conference Wednesday that he plans to put forward his pick for the long-empty ninth seat on the U.S. Supreme Court within two weeks of taking office.

Sessions Hints Yates Memo, Fraud To Stay On DOJ Radar

U.S. attorney general nominee Jeff Sessions suggested Tuesday that his Department of Justice would follow the Yates Memo's mandate to pursue individuals in corporate cases as well as continue a record-breaking False Claims Act enforcement streak under the new administration.

Analysis

LAW FIRMS

Alston & Bird
Andrews Kurth Kenyon
Baker & McKenzie
Balch & Bingham
Bingham McCutchen
Brown Rudnick
Cooper & Kirk
Cooper Levenson
DLA Piper
Debevoise & Plimpton
Deutsch Kerrigan
Dewey & LeBoeuf
Dilworth Paxson
Duane Morris
Faegre Baker
Fish & Richardson
Fisher Phillips
Goodwin
Harris Wiltshire
Hogan Lovells
Holland & Knight
Jackson Lewis
Jones Walker
Katten Muchin
Kenyon & Kenyon

What To Watch For At Mattis' Defense Secretary Hearing

James Mattis, President-elect Donald Trump's pick for secretary of defense, will face Congress on Thursday. Here's a primer on where Mattis has stood on various issues, what he is likely to be asked, and what obstacles may stand in the way of his confirmation.

Analysis

4 Obama Tax Policies At Risk Under The GOP's Tax Plan

The U.S. Treasury Department churned out a number of regulations toward the end of President Barack Obama's term, but some of those policies now face near-certain death under the incoming Trump administration because they are deemed too controversial or will become obsolete under the Republicans' sweeping tax proposals.

Sen. Booker, Rep. John Lewis Blast Sessions AG Nomination

Sen. Cory Booker, along with several African-American congressmen, railed against the nomination of Sen. Jeff Sessions for attorney general Wednesday, claiming he would move the country back toward a "darker period in our nation's history" on several issues, including civil and LGBT rights.

Analysis

Carson= 2s Slim Housing Credentials To Be Confirmation Focus

Dr. Ben Carson will face a barrage of questions Thursday on topics ranging from his views on anti-discrimination enforcement to the basics of running a government agency with a multibillion-dollar budget at his confirmation hearing to lead the U.S. Department of Housing and Urban Development.

Analysis

Right-To-Work Battle Heating Up Early In 2017

With Kentucky becoming the 27th state to join the right-to-work ranks, other states and

King & Spalding
King & Wood Mallesons
Lawyers' Committee for Civil Rights

Levy Ratner
McDermott Will
Morgan Lewis
Novak Druce
Perkins Coie
Pillsbury Winthrop
Polsinelli
Proskauer Rose
Sanford Heisler
Sedgwick LLP
Seyfarth Shaw
Siebman Burg
Simpson Thacher
Skadden
Squire Patton Boggs
Stroock & Stroock
Sutherland Asbill
Vinson & Elkins
Weil Gotshal
Whitfield & Eddy
Wilkinson Barker

COMPANIES

AT&T Inc.
America Fujikura Ltd.
American Bar Association
American Cable Association
American Federation of Labor and Congress of Industrial Organizations
Apple Inc.
Bank of America Corporation
BuzzFeed Inc.
CTIA
Chevron Corporation

municipalities likely to join soon and the possibility of a U.S. Supreme Court fight over local-level laws on the horizon, attorneys say right-to-work is one area of labor law to watch closely.

Analysis

Top 3 Groups Lobbying The FCC

Lobbying activity on major controversial issues at the Federal Communications Commission has slowed as the changeover to a new administration continues, but experts say these months of transition are also a formative time for the industry to make its case before staff and commissioners.

BigLaw Attys, GCs Oppose Sessions As Attorney General

Lawyers from Weil Gotshal & Manges LLP and Sutherland Asbill & Brennan LLP, a former federal judge and 100-plus other attorneys and general counsel have told lawmakers that Sen. Jeff Sessions should not be confirmed as U.S. attorney general because his record suggests he would neglect civil rights laws.

BANKING & SECURITIES

House Again Passes Angel Investors Bill To Help Startups

The U.S. House of Representatives again passed a bill Tuesday designed to make it easier for angel investors to fund startups, after a version of the bill that passed last year died in the U.S. Senate.

SEC Cost-Benefit Review Bill Advances In House

The U.S. House of Representatives voted Wednesday to consider a bill requiring the U.S. Securities and Exchange Commission to apply cost-benefit analyses before moving forward with regulations, a measure that was applauded by securities industry lobbyists.

ENERGY & ENVIRONMENTAL

CohnReznick LLP
Competitive Carriers Association
Continental Resources, Inc.
Court of Arbitration for Sport
Deutsche Bank AG
Devon Energy Corporation
Dow Chemical Co.
Exxon Mobil Corporation
Federalist Society
Ford Motor Company
Gartner Inc.
General Dynamics Corporation
General Mills Inc.
Google Inc.
HSBC Holdings PLC
Home Depot, Inc.
International Association of Defense Counsel
International Association of Machinists and Aerospace Workers
International Business Machines Corporation
JPMorgan Chase & Co.
Lawyers' Committee for Civil Rights Under Law
Lockheed Martin
Mayo Foundation for Medical Education and Research
Media General Inc.
Murray Energy Corp.
National Association of Broadcasters
National Collegiate Athletic Association
National Hockey League
National Public Radio Inc.
National Telephone Cooperative Association
Nexstar Broadcasting Group, Inc.

Jewell Confident That Many Obama Energy Regs Can Stick

President-elect Donald J. Trump and congressional Republicans have vowed to roll back regulations crafted late in the Obama administration they see as hampering fossil fuel development, but moves like permanent offshore drilling bans in the Arctic Ocean likely have staying power, U.S. Secretary of the Interior Sally Jewell said Wednesday.

BLM Floats Plan To Reform Federal Coal Program

The U.S. Bureau of Land Management on Wednesday released a plan to modernize the federal coal program, saying the current system doesn't align with current priorities such as mitigating climate change.

Enviro Committee To Grill EPA Pick Pruitt Next Wednesday

President-elect Donald Trump's picks to head the U.S. Environmental Protection Agency will get a confirmation hearing with the Senate Environment Committee next Wednesday, with the questioning likely to focus on climate change, regulation and domestic energy policy.

EPA Agrees To Tackle Request To Add NC To Ozone Region

A federal Judge has signed off on a settlement between the U.S. Environmental Protection Agency and the North Carolina Department of Environmental Quality in which the federal agency will act on Northeast states' petition to add North Carolina to a regional ozone-reduction program.

HEALTH & LIFE SCIENCES

Analysis

7 Key Policies In HHS Inspector General's Exclusion Rule

Oregon State Bar
Pharmaceutical Care Management Association
Procter & Gamble Co.
Revel AC Inc.
SIFMA
Southern Poverty Law Center
T-Mobile USA Inc.
The Boeing Company
Trump Organization Inc.
Turner Broadcasting System Inc.
Twitter Inc.
U.S. Renal Care Inc.
United Auto Workers
Verizon Communications
Washington Post Co.
Washington State Bar Association
Wells Fargo & Co.

GOVERNMENT AGENCIES

Army Corps of Engineers
Bureau of Land Management
Centers for Medicare & Medicaid Services
Central Command
Commodity Futures Trading Commission
Congressional Research Service
Department of Commerce
Equal Employment Opportunity Commission
Executive Office of the President
Federal Acquisition Regulatory Council
Federal Aviation Administration
Federal Communications Commission
Federal Housing Administration
Government Accountability Office
Internal Revenue Service

The Office of Inspector General at the U.S. Department of Health and Human Services on Wednesday finalized an array of new policies for kicking individuals and companies out of Medicare and Medicaid for fraudulent billing. Here are seven key policies in the final rule.

Trump Chooses VA Health Undersecretary To Lead Agency

President-elect Donald Trump announced Wednesday that he has chosen U.S. Department of Veterans Affairs undersecretary and former hospital CEO David Shulkin to lead the agency, saying Shulkin will help "straighten out" the VA.

OSHA To Issue Safety Rules For Health Care Workers

The Occupational Health and Safety Administration will issue rules intended to reduce workplace violence against health care workers, according to a letter sent by the head of the agency to Democratic lawmakers.

MEDIA & ENTERTAINMENT

NJ Casino Regulator Postpones Developer's License Row

The plan to reopen the former Revel Atlantic City casino hit a roadblock Wednesday when the New Jersey Casino Control Commission postponed its decision on developer Glenn Straub's petition for a casino license waiver in order to review the admissibility of related documents.

NY, SC Lawmakers Lob Measures To Legalize Sports Betting

Lawmakers this week in New York and South Carolina have proposed amending their state constitutions to allow sports gambling.

TRANSPORTATION & INFRASTRUCTURE

International Chamber of Commerce
NAFTA
NATO
National Aeronautics and Space Administration
National Institute of Standards and Technology
National Labor Relations Board
New Jersey Attorney General's Office
New Jersey Casino Control Commission
New York Attorney General's Office
North Carolina Department of Environmental Quality
Occupational Safety and Health Administration
Port Authority of New York & New Jersey
Securities and Exchange Commission
U.S. Army
U.S. Attorney's Office
U.S. Commission on Civil Rights
U.S. Department of Defense
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Housing and Urban Development
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of State
U.S. Department of Transportation
U.S. Department of Veterans Affairs
U.S. Department of the Interior
U.S. Department of the Treasury

Senators Press Trump DOT Pick For Infrastructure Pledges

Elaine Chao, President-elect Donald Trump's pick for secretary of transportation, received bipartisan support during a three-hour nomination hearing Wednesday, but also faced pressure from lawmakers vying to make the varied concerns of their home states a priority in the incoming Trump administration.

Christie, Prosecutors Slam GW Bridge Probable Cause Ruling

Counsel for New Jersey Gov. Chris Christie and prosecutors Wednesday urged a state judge to reverse another judge's probable cause finding in an activist's criminal complaint accusing the governor of official misconduct over politically motivated lane closures at the George Washington Bridge.

INSURANCE

Feds Urge Against Rule Injunction In Dialysis Program Suit

The U.S. Department of Justice told a federal judge in Texas on Wednesday not to grant a request from dialysis companies to stop a Health and Human Services rule change affecting patient insurance coverage, because it is a "limited and modest but urgently needed" step to protect patients.

EMPLOYMENT

ERISA Blocks Iowa Pharmacy Benefits Law, 8th Circ. Says

The Eighth Circuit ruled Wednesday that an Iowa law regulating certain actions taken by prescription drug benefit managers is preempted by the Employee Retirement Income Security Act, saying it would improperly create different administrative processes for ERISA plans in the state than exist nationally.

Job Seekers' Past Salaries Now Off Limits To NY Agencies

U.S. Environmental Protection Agency
U.S. General Services Administration
U.S. House of Representatives
U.S. Marine Corps
U.S. Navy
U.S. Office of Government Ethics
U.S. Senate
U.S. Supreme Court
United Nations
World Intellectual Property Organization

New York Gov. Andrew Cuomo has signed two executive orders, one prohibiting state agencies from evaluating candidates based on their prior salary or asking about their wage history, and the other requiring state contractors to disclose job title and salary data.

PRIVACY & CONSUMER PROTECTION

NIST's Popular Cybersecurity Framework Gets Facelift

The National Institute of Standards and Technology on Tuesday floated an update to its widely adopted voluntary cybersecurity framework that would establish a common vocabulary for discussing cyber supply chain risks and set up a way to measure the progress businesses have made in identifying and managing cyberthreats.

Bathroom Rule Ban Is Toothless In Okla., LGBT Group Says

An Oklahoma LGBT advocacy group told the Fifth Circuit on Tuesday that the state should be exempted from an injunction blocking an Obama administration guidance that students be allowed to use restrooms that match their gender identity, saying the directive conflicted with no Oklahoma law.

GOVERNMENT CONTRACTS

Pentagon Testing Chief Flags More Delays For F-35

Continued issues with the F-35 program could add more than \$1 billion to its testing costs and mean the fighter jet may not complete full operational testing until 2020, the Pentagon's top weapons system tester said in a report released Tuesday.

Rep. Chaffetz Hopes To Bar Tax-Delinquent Gov't Workers

A bill that would eliminate eligibility for federal civilian employment, contracts or grants for individuals with significant delinquent tax debt

has passed the House Oversight and Government Reform Committee, Republican Congressman Jason Chaffetz of Utah announced Tuesday.

Trump Slams Russia Docs Report, F-35 Cost Overruns

President-elect Donald Trump on Wednesday slammed reports that Russia holds compromising information on him as "fake news," while continuing to criticize the Pentagon's largest acquisition program, the F-35 fighter jet, for cost and schedule overruns.

Group Seeks To Preserve Aerospace Tax Breaks In Wash.

A group that seeks to preserve tax incentives for Washington state's aerospace industry and includes Boeing as a member announced its launch on Tuesday, amid Boeing's opposition to efforts to restrict \$8.7 billion in tax breaks.

INTERNATIONAL TRADE

Missing Ethics Paperwork Delays Ross Confirmation Hearing

The leaders of the Senate Commerce Committee said Tuesday that the hearing to consider the nomination of Wilbur Ross as the next commerce secretary will be delayed to next week because the panel has not yet received crucial ethics documents from the billionaire investor.

DOL Says Colombia Out Of Step With Trade Obligations

The U.S. Department of Labor reported Wednesday that Colombia is falling short of its commitments under a bilateral trade agreement by failing to protect workers' rights and vigorously enforce its labor laws.

Tillerson Tries To Draw Hard Line On Russia

Rex Tillerson, Donald Trump's nominee for secretary of state, took a hard stance against

Russian aggression in his opening statement seeking Senate confirmation Wednesday but later refused to directly call Russian President Vladimir Putin a war criminal or to stand by sanctions imposed over Russia's alleged election interference.

TAX

Morgan Lewis Atty Steps Into Spotlight With Trump Plan

Morgan Lewis & Bockius LLP tax partner Sheri Dillon made a running leap Wednesday into the mainstream consciousness when she spoke to the American public at Donald Trump's latest press conference, addressing the president-elect's potential conflicts of interest.

DC Circ. Urged To Revive Offshore Income Program Suit

Three taxpayers have pressed the D.C. Circuit to revive their suit seeking to upend the Internal Revenue Services' offshore income disclosure programs, arguing that the changes they are seeking will not block the agency from collecting taxes.

INTERNATIONAL ARBITRATION

Switzerland Floats Amendments To Int'l Arbitration Law

Switzerland on Wednesday released a series of proposed amendments to its law governing international arbitration, which are aimed at enhancing the law's flexibility and maintaining the country's reputation as an attractive venue for dispute resolution.

Singapore Passes Bills To Boost Global Arbitration Role

The Parliament of Singapore passed two bills on Tuesday in an attempt to solidify the city-state's status as a center for dispute resolution, creating a framework for enforcing mediated settlements and for the first time allowing third-

party funding in international commercial arbitration.

IMMIGRATION

New Requirements Pitched For Exchange Visitor Program

The U.S. Department of State said Wednesday it is considering adding a series of restrictions to the Exchange Visitor Program, including limits on the number of hours that participants could work at night and the number of repeat visits they could make.

TELECOMMUNICATIONS

FCC Extends Timeline For Reconsidering Ownership Rules

The Federal Communications Commission agreed Wednesday to push back the deadlines for oppositions and replies to oppositions on requests that it reconsider its decision keeping media ownership restrictions, moving deadlines further into the Trump administration.

FCC Sparks GOP Outcry With 'Midnight' Report On Free Data

A Federal Communications Commission bureau report released Wednesday finding that Verizon and AT&T zero-rating plans pose "significant risks to consumers and competition" is "midnight regulation" driven by a partisan and political agenda, Republican FCC Commissioner Ajit Pai said in a statement.

FCC Floats Progress Reporting For Post-Auction TV Transition

The Federal Communications Commission on Tuesday released details of quarterly reporting requirements for broadcast television stations' repackaging effort following an auction process to reassign broadcast spectrum for broadband wireless use, including updates on building equipment, tower work and regulatory approval for construction to comply with the transition.

EXPERT ANALYSIS

What Will DOL's Immigration Policy Look Like Under Puzder?

It is still unclear how much legal immigration policy will change in the new Trump administration. However, both President-elect Donald Trump and his nominee for secretary of the U.S. Department of Labor, Andrew Puzder, have worked in industries that rely heavily on foreign nationals and it is entirely possible that legal immigration will stay within historic norms, says Becki Young, co-founder of Hammond Young Immigration Law LLC.

How NDAA For 2017 Changes DOD Contracting

In addition to creating new rules in four areas of interest to federal contractors, the National Defense Authorization Act for Fiscal Year 2017 foreshadows potential future reforms, say attorneys with Vinson & Elkins LLP.

Understanding How Blockchain Could Impact Legal Industry

Blockchain is essentially a computerized public ledger that can apply to almost anything that a person might save into a database or spreadsheet. This versatile technology may enhance the legal industry by providing an improved record keeping system, setting up "smart contracts" and tracking intellectual property and land records, say R. Douglas Vaughn and Anna Outzen of Deutsch Kerrigan LLP.

LEGAL INDUSTRY

SEC, NY DA Fight Dewey Trustee's Bid To Destroy Records

The U.S. Securities and Exchange Commission and the New York District Attorney's Office asked a bankruptcy judge in separate filings on Wednesday to block the liquidating trustee in the Dewey & LeBoeuf LLP bankruptcy from disposing of documents needed in civil and

criminal lawsuits against officers and employees of the defunct law firm.

DLA Piper, Goodwin Big Talent Winners As KWM Struggles

Goodwin Procter LLP on Wednesday announced that it has taken on six partners, along with 20 associates and trainees, from King & Wood Mallesons' European unit, the latest in a long string of departures that have picked up steam in recent weeks as the struggling global law firm bleeds talent.

Mind Your Metadata: Ethics Rules On Hidden Data

Slowly but surely, state ethics committees are addressing the rules and responsibilities around an often overlooked risk to client confidentiality — document metadata. Here, Law360 answers four common questions lawyers have about the ethical landscape for handling the sensitive client data.

Sedgwick Partner Taps Sanford Heisler In \$200M Bias Row

Sanford Heisler LLP has been hired as new lead counsel in a Sedgwick LLP partner's proposed gender discrimination class action against her firm, charging out of the gate Wednesday by filing an amended complaint in arbitration that adds fresh allegations and a \$200 million request for damages.

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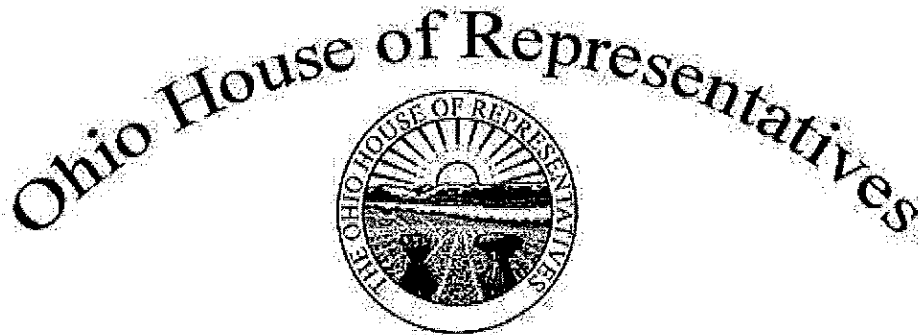
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From: Thawley, Roanna
Sent: Friday, January 13, 2017 2:41 PM
To: Thawley, Roanna
Subject: Co-Sponsor Request: Public Sector Right-to-Work



Representative John Becker
Ohio's 65th House District

MEMORANDUM

To: GOP House Members
From: Representative John Becker
Date: January 13, 2017
RE: Co-Sponsor Request: Public Sector Right-to-Work

I will soon be reintroducing a public sector right-to-work bill. This bill was previously introduced in the 131st General Assembly as HB 583.

There is a national trend of states moving to implement right-to-work laws. With Kentucky being the 27th state to continue that trend, it's time Ohio steps up to the plate. All of Ohio's neighboring states, with the exception of Pennsylvania, have right-to-work laws on the books.

This legislation:

- Provides public sector workers the choice to opt out of union representation and dues.
- Allows non-union employees to voluntarily make financial contributions to a union.
- Protects unions from the requirement of representing non-union employees.
- Appropriates \$30,000 in fiscal year 17 for pamphlets and brochures.

If you would like to co-sponsor this legislation or have any questions, please contact Roanna Thawley at (614) 466-8134 or Roanna.Thawley@ohiohouse.gov. The deadline to co-sponsor is COB, **Monday, January 30, 2017**. Thank you for your consideration.

Roanna Thawley

Legislative Aide

State Representative John Becker | Ohio House District 65

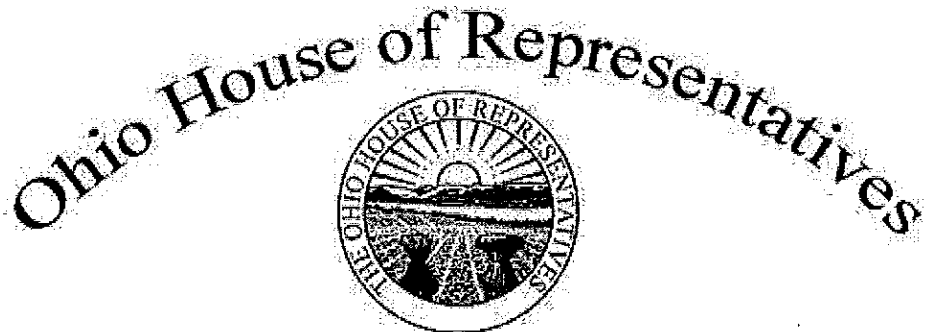
77 S. High Street, 12th Floor | Columbus, OH 43215

(614) 466-8134

roanna.thawley@ohiohouse.gov

From: Thawley, Roanna
Sent: Monday, January 23, 2017 10:34 AM
To: Thawley, Roanna
Subject: Co-Sponsor Request: Public Sector Right-to-Work

****REMINDER: Deadline to co-sponsor is January 30th at 5 PM****



Representative John Becker
Ohio's 65th House District

MEMORANDUM

To: GOP House Members
From: Representative John Becker
Date: January 23, 2017
RE: Co-Sponsor Request: Public Sector Right-to-Work

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Roanna Thawley

Legislative Aide

State Representative John Becker | Ohio House District 65

77 S. High Street, 12th Floor | Columbus, OH 43215

(614) 466-8134

roanna.thawley@ohiohouse.gov

From: Public Policy Law360
Sent: Tuesday, January 24, 2017 5:30 AM
To: Rep30
Subject: For Trump, Exiting TPP Was The Easy Part



Tuesday, January 24, 2017



TOP NEWS

Analysis

For Trump, Exiting TPP Was The Easy Part

By pulling the U.S. out of the Trans-Pacific Partnership, President Donald Trump was able to fulfill one of the core promises of his campaign, but he may be in for a rude awakening as he attempts to reshape American trade policy in his own image.

2 GOP Sens. Push Own Affordable Care Act Replacement

A pair of Republican senators on Monday pushed their own take on the Affordable Care Act replacement, intent on allowing states to choose the existing system or devise their own health insurance market.

Analysis

Trump, GOP Differences Could Impede Tax Reform Timeline

The House Republicans have tax reform high on their agenda, but their desire to pass legislation before the end of the summer could be significantly impeded if President Donald Trump doesn't agree with their approach for taxing imports and raising approximately \$1.2 trillion.

Analysis

LAW FIRMS

Arnold & Porter Kaye Scholer
Baker Botts
Balch & Bingham
Brune Law PC
Buchanan Ingersoll
Cooley
Covington & Burling
Cozen O'Connor
Dechert
Dewey & LeBoeuf
Earthjustice
Fennemore Craig
Foley & Lardner
Frankfurt Kurnit
Gardere Wynne Sewell
Gibson Dunn
Goldberg Segalla
Goodwin
Greenberg Traurig
Hinshaw & Culbertson
Holland & Knight
Hopping Green
Hunton & Williams
Husch Blackwell
Jackson Walker

Delayed Fiduciary Rule Faces Host Of Obstacles To Repeal

While President Donald Trump is expected to further delay the start of the U.S. Department of Labor's fiduciary rule for retirement account advisers beyond the regulatory freeze imposed Friday, experts said the path to an actual rollback of the regulation is still unclear — especially if firms that have already put millions into compliance choose not to dismantle their efforts.

Trump State Dept. Pick Tillerson Passes Senate Panel

President Donald Trump's pick for secretary of state has passed his first official test in the Senate despite questions over his ties to Russia, as the Senate's Foreign Relations Committee voted to approve his nomination along party lines.

U.S. Supreme Court Declines To Hear Texas Voter ID Case

The U.S. Supreme Court on Monday declined to hear a case that involves a challenge to a controversial Texas law that requires voters to present specific forms of government-issued IDs to cast a ballot, leaving in place lower court rulings that the law is discriminatory to minority voters.

Analysis

Houston Same-Sex Benefits Row May Test Obergefell's Reach

The Texas Supreme Court's decision to hear a challenge to Houston's same-sex employee benefits program could not only impact employers and threaten the rights of such couples across the state, but also lay the groundwork for a U.S. Supreme Court appeal to limit the effect of the Obergefell decision nationwide.

Cozen O'Connor Atty Named Associate White House Counsel

Miller & Chevalier

Mintz Levin

MoloLamken LLP

Munsch Hardt

Nabors Giblin

Organ Cole

Orrick Herrington

Proskauer Rose

Richards Rodriguez

Sanford Heisler

Seward & Kissel

Sidley Austin

Squire Patton Boggs

Steptoe & Johnson LLP

Stroock & Stroock

Weiner Brodsky

White & Case

Williams & Connolly

WilmerHale

COMPANIES

Aetna Inc.

Allergan PLC

American Federation of
Government Employees

Anthem Inc.

Association of Corporate Counsel

Bank of America Corporation

CIGNA Corporation

Exxon Mobil Corporation

Florida Panthers

Florida Power & Light Co.

Glover Park Group LLC

Humana Inc.

Indivior PLC

JPMorgan Chase & Co.

Koch Industries Inc.

Lawyers' Committee for Civil
Rights Under Law

A Cozen O'Connor partner who had served as the top lawyer for former Pennsylvania Gov. Tom Corbett is heading to Washington, D.C., to serve as associate White House counsel and a special assistant to President Donald Trump, the firm announced Monday.

Senate Confirms Trump CIA Pick Despite Privacy Concerns

After hearing out objections from a number of Democrats over privacy concerns, the Senate on Monday approved President Donald Trump's pick for Central Intelligence Agency director, Rep. Mike Pompeo, R-Kan., as the third member of the new president's administration.

BANKING & SECURITIES

'No Decision' Yet On Cordray's Future: Trump Spokesman

President Donald Trump has not yet decided whether he will fire the Consumer Financial Protection Bureau's director amid speculation that such a move could come as early as this week, the president's top spokesman said Monday.

Tilton Tasks Justices With Constitutional Review Of SEC Court

Private equity magnate Lynn Tilton has petitioned the U.S. Supreme Court to weigh a circuit split over the constitutionality of the U.S. Securities and Exchange Commission's administrative court, arguing the agency's home field advantage in a \$200 million fraud case against her amounts to a "stacked-deck proceeding."

ENERGY & ENVIRONMENTAL

Obama's EPA Leadership Is Out, Acting Heads Step In

As President Donald Trump assumes control of the executive branch, former leaders at the U.S.

LexisNexis Group
Los Angeles Times
Lyft Inc.
Mylan NV
NBCUniversal Inc.
National Collegiate Athletic Association
National Hockey League
National Right to Work Legal Defense Foundation
Netflix Inc.
New York University
Office Depot Inc.
PHH Corporation
Pfizer Inc.
Public Knowledge
SYSCO Corporation
Sierra Club
Twitter Inc.
U.S. Foods Inc.
Uber Technologies Inc.
Warner Chilcott Limited
Wells Fargo & Co.

GOVERNMENT AGENCIES

Bureau of Citizenship and Immigration Services
Central Intelligence Agency
Competition and Markets Authority
Congressional Budget Office
Consumer Financial Protection Bureau
European Commission
European Securities and Markets Authority
Executive Office of the President
Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Trade Commission

Environmental Protection Agency are out, and acting heads have taken over.

Tossing EPA Haze Rule Is Only Option, 5th Circ. Told

Texas and utilities and business groups fighting the U.S. Environmental Protection Agency's regional haze plan for the state on Friday told the Fifth Circuit that vacating the entire rule is the only way to ensure the agency crafts a revised rule within its legal authority.

Fla. Claims Conflict In Reversal Of Utility's Nuke Plans

Florida's governor and cabinet Monday urged the Florida Supreme Court to review an appeals court's reversal of their approval for Florida Power & Light Co. to build two nuclear generating units and 89 miles of transmission lines in South Florida, arguing the decision conflicts with a prior ruling.

HEALTH & LIFE SCIENCES

Trump Revives Policy Separating NGO Aid From Abortions

President Donald Trump on Monday signed an executive order reinstating the so-called Mexico City Policy, which forbids any foreign nongovernmental organizations that receive U.S. money for family planning from providing, lobbying for or educating about abortions.

Pfizer Hits Back At Texas In Rebate Info Disclosures Suit

Pfizer Inc. told a federal judge in Texas on Friday that, contrary to claims from the Texas Health and Human Services Commission, there is no proof that the commission's disclosure of its drug pricing and rebate information to two state legislators was required in order to oversee administration of the Medicare rebate program.

TRANSPORTATION & INFRASTRUCTURE

Financial Conduct Authority
Florida Department of
Environmental Protection
Food and Drug Administration
Government Accountability Office
Internal Revenue Service
International Trade Commission
NAFTA
National Security Council
New York Attorney General's
Office
Office of the U.S. Trade
Representative
Pennsylvania Public Utility
Commission
San Francisco Bay Area Rapid
Transit District (BART)
Securities and Exchange
Commission
Texas Health and Human
Services Commission
Tohono O'odham Nation
U.S. Agency for International
Development
U.S. Air Force
U.S. Army
U.S. Attorney's Office
U.S. Consumer Product Safety
Commission
U.S. Customs and Border
Protection
U.S. Department of Agriculture
U.S. Department of Defense
U.S. Department of Energy
U.S. Department of Health and
Human Services
U.S. Department of Homeland
Security
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of State

Uber Pushes Pa. Appeals Court To Nix \$11.4M Fine

Uber Inc. urged a Pennsylvania appeals court to throw out an \$11.4 million fine the state's Public Utility Commission slapped on the ride-sharing company in April for operating without proper licensure.

INSURANCE

Calif. High Court Revives Homeowner Insurance Regulation

The California Supreme Court Monday revived a challenged regulation from the state insurance commissioner aimed at protecting homeowners from allegedly misleading insurer estimates of home replacement costs, saying the commissioner didn't overstep his authority in adopting the rule.

EMPLOYMENT

Trump Freezes Federal Hiring, With Some Exceptions

President Donald Trump signed an executive memorandum on Monday that freezes federal hiring but gives agency heads the power to make exceptions for national security or public safety and lets the Office of Personnel Management grant carve-outs where "otherwise necessary."

Suits Challenge Mo. Initiatives Targeting Right-To-Work Laws

Three workers filed a flurry of Missouri state court suits last week challenging 10 proposed ballot initiatives that would guarantee unions the right to require that bargaining unit members pay dues, calling the proposed questions "misleading" and under state law.

COMPETITION

U.S. Department of the Treasury
U.S. Environmental Protection Agency
U.S. House of Representatives
U.S. Office of Personnel Management
U.S. Senate
U.S. Supreme Court

UK Antitrust Regulators Mulling Review Threshold Changes

Competition regulators in the U.K. said Monday they are now taking comments on proposed changes to the merger review process, ones that would reduce the number of smaller market deals that are investigated for antitrust concerns.

PRIVACY & CONSUMER PROTECTION

Consumer Rights, Open Internet Under Threat, Group Says

Advocacy group Public Knowledge pledged in an open letter Friday to fight anew for affordable communications and freedom of expression as President Donald Trump was sworn in and a GOP commissioner opposed to the 2015 Open Internet Order was selected as chairman.

Democratic AGs Aim To Back CFPB In DC Circuit

Democratic attorneys general from 16 states and the District of Columbia on Monday asked to intervene in a high-stakes case that could weaken the Consumer Financial Protection Bureau, arguing that the Trump administration's hostility to the federal consumer finance watchdog made their support for the bureau necessary.

GOVERNMENT CONTRACTS

Trump Chooses Former NM Rep. To Lead Air Force

President Donald Trump on Monday nominated former U.S. Air Force officer and Republican Rep. Heather Wilson as Air Force secretary, saying her military service and the wide variety of roles she has held across her career would make her an "outstanding" leader.

INTERNATIONAL TRADE

Trump Overhauls US Trade Policy With TPP Withdrawal

President Donald Trump pulled the U.S. out of the Trans-Pacific Partnership Monday, undoing one of the Obama administration's signature economic achievements with the stroke of his pen to usher in a new era of U.S. trade policy that will focus on enforcement and smaller accords.

TAX

Conservative Group Says IRS Yet To Prove Absence Of Bias

A conservative advocacy group accusing the Internal Revenue Service of discrimination and political bias urged a D.C. federal court not to hand the agency a quick win, saying that the IRS has failed to provide assurance that its alleged conduct will not recur.

IMMIGRATION

Trump Sidestepping DACA For Now, Administration Indicates

President Donald Trump won't immediately dismantle the controversial Deferred Action for Childhood Arrivals initiative that former President Barack Obama instituted via executive action in 2012, the new administration has indicated, despite fiery promises otherwise from the campaign trail.

GAO Seems Unclear On Whether Current Border Fences Work

The effectiveness of existing fencing along the United States' southern border at deterring illicit cross-border traffic is not entirely clear, the title of a restricted Government Accountability Office report published Monday suggests.

Detained Immigrant Kids Must Get Bond Hearings, Judge Says

A California federal judge has found the federal government has been wrongly denying immigrant children their right to bond hearings

by interpreting a 1997 settlement as being superseded by newer regulations.

NATIVE AMERICAN

Ariz. Gaming Head Fights Reconsideration Bid In Casino Row

The head of Arizona's gambling department told a federal court Friday that it should not reconsider an order denying the Tohono O'odham Nation's bid for a quick win in a suit over its right to offer Las Vegas-style gambling near Phoenix, saying the nation's bid to have the court rethink the order is procedurally improper.

TELECOMMUNICATIONS

Sen. Thune Pushes Net Neutrality 'Legislative Solution'

Sen. John Thune, R-S.D., the chairman of the Senate Commerce Committee, said Monday that he wants to find a bipartisan "legislative solution" to protecting the open internet, following repeated Republican criticism of the FCC's order on net neutrality.

CALIFORNIA

Calif. Senate Signs Off On Becerra As Golden State Top Cop

U.S. Rep. Xavier Becerra is set to become the Golden State's next attorney general — and first Latino to hold that position in the state — after his confirmation Monday by the California State Senate.

EXPERT ANALYSIS

6 Reasons Why A Wholesale Dodd- Frank Repeal Is Unlikely

The Dodd-Frank Act was passed in 2010 with the Great Recession providing momentum and popular support for its enactment. Conversely, there is no acute crisis to serve as a catalyst for

its repeal, say Anthony Drenzek and Timothy Mungovan of Proskauer Rose LLP.

USCIS Parole Rule: A Practical Solution For Entrepreneurs

A new rule from U.S. Citizenship and Immigration Services amends immigration regulations to expand the use of government authority to authorize parole for foreign entrepreneurs. The expansion is a welcome development for foreign entrepreneurs who have been frustrated by the lack of immigration options available through the existing U.S. visa categories, says Susan Cohen of Mintz Levin Cohn Ferris Glovsky and Popeo PC.

Everything To Know About EPA's Final Nanoscale Rule

The U.S. Environmental Protection Agency recently published the first federal environmental regulation to impose reporting requirements specifically for nanoscale materials. Given that 2016 amendments to the Toxic Substances Control Act enable the EPA to issue significant civil penalties, it's critical for industry to understand the regulation and its implications for business, says Lawrence Cullen of Arnold & Porter Kaye Scholer LLP.

More And More States Are Targeting Payroll Debit Cards

It has become increasingly prevalent for employers to pay their employees with payroll debit cards due to the benefits to both employers and employees. However, despite these mutual benefits, many states have enacted legislation that may potentially curtail the use of these cards to pay wages, says Caroline Berdzik of Goldberg Segalla LLP.

10 Antitrust Trends And Developments To Watch This Year

President Donald Trump's competition policies are sure to top the headlines in 2017. We can expect renewed focus on the SMARTER Act, continued attention to the pharmaceutical

industry, and hurdles for foreign investment in the U.S., say attorneys with Cooley LLP.

LEGAL INDUSTRY

These Law School Grads See Biggest Paydays

Recent Cornell Law School graduates earn the highest average salary in the nation among their peers at more than \$183,000, beating out a number of other big names, a study released Monday found.

Law Firm Leaders Are Optimistic About 2017, Report Says

Law firm leaders remain optimistic about their firms' financial futures, despite the industry's modest growth numbers in billable hours logged and net income last year, according to a new report by Wells Fargo Private Bank's Legal Specialty Group.

Legal Dept. Operations Pros Prioritize Financial Metrics

Legal operations professionals tasked with quantifying corporate legal departments' budgets, efficiency and effectiveness have a full plate, tracking numerous metrics they deem important with little automation to lessen their load, according to recently released survey results.

Jury Selection Kicks Off In Dewey Retrial

Jury selection in the retrial of two former top executives of failed law firm Dewey & LeBoeuf LLP began Monday, and the judge overseeing the marathon case laid out some ground rules for the defense in its questioning of the star cooperating witness in the case, in light of his sweetened plea deal.

Ethics Group Backs High Court Look At Nonresident Atty Law

A bar group representing legal ethics and professional responsibility specialists has joined

the call for a U.S. Supreme Court review of a challenge to a New York law requiring nonresident lawyers wishing to practice in the state to maintain a physical office there.

Call For Participants: Law360's 2017 Editorial Advisory Boards

Law360 is looking for avid readers of its publications to serve as members on its 2017 editorial advisory boards.

JOBS

Search full listings or advertise your job opening =

Not sure if your firm subscribes? Ask your librarian.

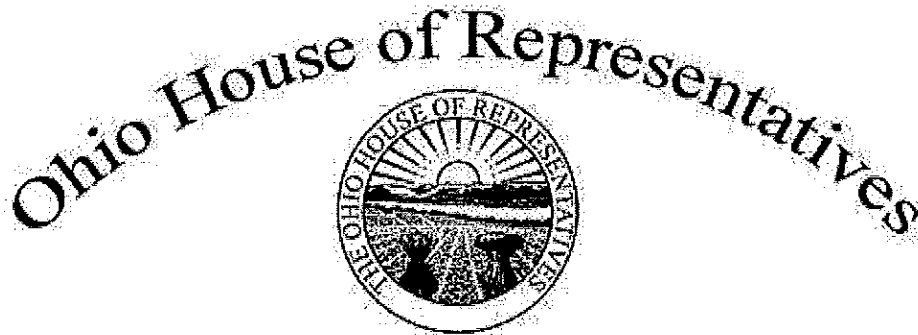
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From: Thawley, Roanna
Sent: Monday, January 30, 2017 9:33 AM
To: Thawley, Roanna
Subject: REMINDER Co-Sponsor Request: Public Sector Right-to-Work

****REMINDER: Deadline to co-sponsor is TODAY at 5 PM.****



Representative John Becker
Ohio's 65th House District

MEMORANDUM

To: GOP House Members

From: Representative John Becker
Date: January 30, 2017
RE: Co-Sponsor Request: Public Sector Right-to-Work

I will soon be reintroducing a public sector right-to-work bill. This bill was previously introduced in the 131st General Assembly as HB 583.

There is a national trend of states moving to implement right-to-work laws. With Kentucky being the 27th state to continue that trend, it's time Ohio steps up to the plate. All of Ohio's neighboring states, with the exception of Pennsylvania, have right-to-work laws on the books.

This legislation:

- Provides public sector workers the choice to opt out of union representation and dues.
- Allows non-union employees to voluntarily make financial contributions to a union.
- Protects unions from the requirement of representing non-union employees.
- Appropriates \$30,000 in fiscal year 17 for pamphlets and brochures.

If you would like to co-sponsor this legislation or have any questions, please contact Roanna Thawley at (614) 466-8134 or Roanna.Thawley@ohiohouse.gov. The deadline to co-sponsor is COB, Monday, January 30, 2017. Thank you for your consideration.

Roanna Thawley

Legislative Aide

State Representative John Becker | Ohio House District 65

77 S. High Street, 12th Floor | Columbus, OH 43215

(614) 466-8134

roanna.thawley@ohiohouse.gov

From: Public Policy Law360
Sent: Thursday, February 2, 2017 5:24 AM
To: Rep30
Subject: Trump's Immigration Ban Sends Cos. Scrambling



Thursday, February 2, 2017



TOP NEWS

Analysis

Trump's Immigration Ban Sends Cos. Scrambling

President Donald Trump's sweeping executive order blocking people from certain predominantly Muslim countries from entering the U.S. left companies scrambling to figure out which employees may be affected, immigration experts say, and may lead to disruptions for both businesses and students trying to study in America.

Sessions AG Nomination Advances In Senate

After numerous delays, the Senate Judiciary Committee sent the attorney general nomination of Sen. Jeff Sessions, R-Ala., to the full Senate on Wednesday, as fights over President Donald Trump's Cabinet appointments and immigration order ramp up in Congress.

Veterans Affairs Nominee Promises Care Won't Be Privatized

Veterans Affairs Secretary nominee David Shulkin promised lawmakers Wednesday he would not seek to privatize the department but also asked for congressional help to allow the agency to move forward with needed changes.

LAW FIRMS

Alston & Bird
Arent Fox
Arnold & Porter Kaye Scholer
BakerHostetler
Balch & Bingham
Ballard Spahr
Barnes & Thornburg
Bell Nunnally
Cahill Gordon
Conner & Winters
Cooper & Kirk
Cozen O'Connor
DLA Piper
Debevoise & Plimpton
Dorsey & Whitney
Drinker Biddle
Earthjustice
Epstein Becker Green
Eversheds LLP
Fisher Phillips
Foley & Lardner
Ford & Harrison
Fox Rothschild
Fragomen Del Rey
Gibson Dunn

Analysis

IRS Update On Large-Business Audits Too Vague, Critics Say

Tax practitioners who were eagerly awaiting news on how the IRS would change its approach to auditing large corporations with assets of more than \$10 million were disappointed Tuesday, when the agency released an update that is being criticized as vague and lacking in substantive guidance.

Analysis

A Look At How Congress Could Revamp Patent-Eligibility

Several major intellectual property groups have called for new legislation to clarify what is and is not patent-eligible amid confusion over recent U.S. Supreme Court rulings. Here, attorneys discuss how Congress could frame the change and how it could impact patent law.

Analysis

Trump Immigration Ban Causing Headaches For Airlines

President Donald Trump's executive order temporarily barring citizens from seven predominantly Muslim countries from entering the U.S. caught airlines off guard, leaving them grappling with compliance questions and wondering if they may face suits from travelers who feel their rights have been violated.

Senate Panel Advances Price, Mnuchin Without Dems Present

A key Senate panel on Wednesday voted to move forward the nominations of President Donald Trump's picks to lead the U.S. Department of the Treasury and the Department of Health and Human Services without any Democratic members present.

Senate Approves Tillerson As Secretary Of State

Former Exxon CEO Rex Tillerson will serve as President Donald Trump's secretary of state after receiving Senate confirmation Wednesday, as battles over the Cabinet continue this week

Goodwin

Gordon Fournaris

Hogan Lovells

Holland & Knight

Honigman Miller

Jackson Lewis

Jackson Walker

Keker & Van Nest

Kellogg Huber

Kilpatrick Townsend

Kirton & McConkie

Kostelanetz & Fink

Latham & Watkins

Levy Ratner

Lewis Baach

Lewis Brisbois

Littler Mendelson

Mayer Brown

McDonnell Boehnen

Miller & Chevalier

Morrison & Foerster

Neal Gerber

Nilan Johnson

Norton Rose Fulbright

Paul Hastings

Polsinelli

Proskauer Rose

Quinn Connor

Seyfarth Shaw

Sheppard Mullin

Sidley Austin

Sirote & Permutt

Steptoe & Johnson LLP

Susman Godfrey

Sutherland Asbill

Venable LLP

Waller Lansden

Weil Gotshal

amid Trump's controversial order on immigration.

SUPREME COURT

Analysis

Gorsuch's Opening Words Speak Volumes About His Style

Never one to pass up the chance to spin a good yarn, U.S. Supreme Court nominee Neil Gorsuch's body of rulings during a decade at the Tenth Circuit casts him as a fervent storyteller. A look at some of his best opening passages reveals a narrative writing style that's light on legalese and heavy on plot, setting and characters.

Analysis

The 4 Wittiest Dissents By Gorsuch

During his tenure on the Tenth Circuit, Judge Neil Gorsuch wrote more than 30 playful, witty dissents that both entertain the reader and give clear insight to his legal thinking. Here, Law360 looks at the best of the bunch and what they say about his thoughts on legislating from the bench, prepositional phrases and everything in between.

Attys React To Judge Gorsuch's Supreme Court Nomination

President Donald Trump nominated Tenth Circuit Judge Neil Gorsuch on Tuesday to become the next associate justice on the U.S. Supreme Court, aiming to fill the vacancy left by Justice Antonin Scalia's death. Here, attorneys tell Law360 what they think about the nomination.

Analysis

Senators Flirt With Nuclear Option Over High Court Pick

The Senate fight over Tenth Circuit Judge Neil Gorsuch's nomination to the U.S. Supreme Court could soon "go nuclear," as less than a day after President Donald Trump put Gorsuch up for the court, political discussion has already turned to breaking a likely Democratic filibuster

WilmerHale
Winston & Strawn
Young Conaway

COMPANIES

AT&T Inc.
Airbnb Inc.
Amazon.com Inc.
America Fujikura Ltd.
America's Health Insurance Plans
American Bar Association
American Civil Liberties Union
American Dental Association
American Federation of Labor and Congress of Industrial Organizations
American Federation of State, County and Municipal Employees
American Federation of Teachers
American Hospital Association
American Immigration Lawyers Association
American International Group Inc.
American Petroleum Institute Inc.
Apple Inc.
Apricus Biosciences Inc.
Arrow Financial Corp.
Aviation Capital Group
Bank of America Corporation
Baxalta Inc.
Baxter International Inc.
Brunswick Corporation
Burger King Holdings Inc.
CIT Group Inc.
CME Group Inc.
CTIA
CVS Caremark Corporation
Caesars Entertainment
Celanese Corporation
Chevron Corporation

and pushing him through without any bipartisan support.

Analysis

Similar On The Law, Gorsuch Differs From Scalia In Style

If confirmed by the Senate, U.S. Supreme Court nominee Neil Gorsuch would bring to the bench a strikingly similar judicial philosophy to that of the late Justice Antonin Scalia, but former clerks and colleagues say the Tenth Circuit judge and Colorado native's congenial temperament couldn't be more different from his fiery predecessor's.

Analysis

Labor Agencies Would Face Rough Road Before Gorsuch

If confirmed to fill the open seat on the U.S. Supreme Court, Judge Neil Gorsuch could bring a management-friendly voice to the high court, experts say, pointing to the deep skepticism the jurist has expressed toward aggressive regulatory actions by labor agencies such as the National Labor Relations Board.

Analysis

Gorsuch Likely No Friend To Securities Suits

Plaintiffs firms could be on rough terrain at the U.S. Supreme Court if the Senate confirms Tenth Circuit Judge Neil M. Gorsuch, an exacting jurist who as a private attorney voiced concerns about the growing number of securities class actions and as a judge has taken a narrow view of securities fraud liability.

BANKING & SECURITIES

House Passes Bill Revoking SEC Payment Disclosure Rule

The U.S. House of Representatives passed a measure Wednesday that would disapprove a U.S. Securities and Exchange Commission rule requiring oil and gas extraction companies to disclose their payments to foreign governments,

Church's Chicken
Citigroup Inc.
Commonwealth Edison Co.
Competitive Carriers Association
Council for Global Immigration
Covidien PLC
DISH Network Corporation
Depository Trust & Clearing Corp.
Education Management Corporation
Eli Lilly and Company
Evercore Partners Inc.
Exelon Corporation
Expedia Inc.
Exxon Mobil Corporation
FedEx Corporation
Federalist Society
Fifth Third Bancorp
Friedman LLP
Geeknet, Inc.
General Electric Company
Google Inc.
Guy Carpenter & Co. LLC
Hobby Lobby Stores
IP Owners Association
International Lease Finance Corp.
Javlin Capital LLC
LinkedIn Corp.
Mallinckrodt PLC
Marsh & McLennan Companies Inc.
Microsoft Corporation
National Association of Health Underwriters
National Association of Insurance Commissioners
National Association of Manufacturers

potentially preventing the agency from implementing the regulation.

SEC Will Reconsider Conflict Minerals Disclosure Rule

The U.S. Securities and Exchange Commission is rethinking a rule that companies publicly disclose whether products contain minerals mined in Central African war zones, saying that although the rule has been in limbo since the D.C. Circuit declared it unconstitutional, negative effects persist.

ENERGY & ENVIRONMENTAL

ND Pols Claim Army Corps Will Issue Dakota Access Approval

The acting secretary of the Army has commanded the U.S. Army Corps of Engineers to grant Dakota Access LLC the final — and much disputed — approval needed to complete its controversial \$3.8 billion, 1,172-mile crude oil pipeline, three North Dakota lawmakers claimed Tuesday despite a contradictory statement from the Army.

Senate Dems Boycott, Block Pruitt EPA Vote

Senate Democrats on Wednesday blocked the confirmation of President Donald Trump's choice to lead the U.S. Environmental Protection Agency by refusing to attend a scheduled committee vote.

House Votes To Dam Up Stream Protection Rule

The House passed a measure to repeal a controversial Obama administration rule aimed at minimizing coal mining's harm to surface water and groundwater Wednesday, as part of a package of laws meant to remove the former president's rule legacy.

Enviros Sue EPA Over Trump-Yanked Mercury Rule

National Collegiate Athletic Association
Natural Resources Defense Council
Omnicare Inc.
OneWest Bank Group LLC
Pac-12 Conference
Pacific Life Insurance
PhRMA
Prime Therapeutics LLC
Randstad Holding NV
Reed Elsevier
SLM Corporation
Sears Holdings Corporation
Sequenom, Inc.
Service Employees International Union
Suntrust Banks Inc.
T-Mobile USA Inc.
The DIRECTV Group, Inc.
The Royal Bank of Scotland Group PLC
Time Warner Cable
TransAm Trucking Inc.
Twitter Inc.
U.S. Chamber of Commerce
U.S. Foods Inc.
United Western Bancorp, Inc.
Verizon Communications
Virtual Radiologic Corporation
Washington Legal Foundation
comScore, Inc.

GOVERNMENT AGENCIES

Army Corps of Engineers
Bureau of Citizenship and Immigration Services
Centers for Medicare & Medicaid Services
Central Intelligence Agency

The Natural Resources Defense Council filed suit against the U.S. Environmental Protection Agency in New York federal court on Wednesday over its decision to withdraw a rule aimed at reducing dentists' mercury waste because of an order given by Donald Trump's administration on its first day in office.

HEALTH & LIFE SCIENCES

HHS Ices 340B 'Mega-Guidance' Amid Regulatory Freeze

The U.S. Department of Health and Human Services has shelved "mega-guidance" that spelled out rules of the road in the 340B drug discount program, a move that follows the Trump administration's freeze on new regulations.

ACA Fixes Come Into Focus At Senate Hearing ■

Health insurance companies and regulators are coalescing around quick policy actions aimed at stabilizing Affordable Care Act marketplaces by tightening enrollment options, trimming benefits and extending subsidies, U.S. senators heard Wednesday.

IP & TECHNOLOGY

Tackling Abusive Patent Suits Is A Priority, Goodlatte Says

House Judiciary Committee Chairman Bob Goodlatte, R-Va., said Wednesday that patent reform would remain a priority for the new Congress, vowing to pursue measures to discourage abusive patent litigation.

REAL ESTATE

Judge Skeptical Of 1st Amend. Challenge To Airbnb Regs

An Illinois federal judge on Wednesday sharply questioned an attorney for a Chicago advocacy group trying to block the city's shared-housing regulations, asking how commercial

Delaware Attorney General's Office
Equal Employment Opportunity Commission
European Commission
Executive Office of the President
Federal Communications Commission
Federal Reserve System
Federal Trade Commission
Food and Drug Administration
Internal Revenue Service
National Labor Relations Board
Office of Surface Mining Reclamation and Enforcement
Office of the Director of National Intelligence
Securities and Exchange Commission
Standing Rock Sioux Tribe
U.S. Army
U.S. Copyright Office
U.S. Customs and Border Protection
U.S. Department of Agriculture
U.S. Department of Defense
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of State
U.S. Department of Veterans Affairs
U.S. Department of the Interior
U.S. Department of the Treasury
U.S. Environmental Protection Agency
U.S. House of Representatives

transactions like the ones taking place on Airbnb qualified for noncommercial speech protections under the First Amendment.

EMPLOYMENT

NCAA Football Players Are Employees, NLRB GC Says

College football players are employees, the National Labor Relations Board Office of General Counsel said Tuesday, seemingly baiting more football players at private universities to bring unfair labor practice charges or unionization efforts and adding fuel to a growing debate over the rights of NCAA student-athletes.

OMB Gives New Guidance On Federal Hiring Freeze

The U.S. Office of Management and Budget Tuesday provided more guidance to federal agencies implementing a temporary hiring freeze ordered by President Donald Trump on Jan. 23 in a memorandum outlining the types of exemptions authorized under the freeze.

GOP Reps. Introduce National Right To Work Bill

The recent right-to-work trend could go national after two Republican members of the House of Representatives introduced a bill Wednesday that would amend the National Labor Relations Act and the Railway Labor Act to let union members across the country opt out of paying mandatory dues.

Judge Axes Birmingham Challenge To Law Halting Wage Hike

A Birmingham federal judge on Wednesday threw out an NAACP lawsuit that claimed Alabama unconstitutionally targeted minorities by enacting a law that blocked the majority-black city's local minimum wage hike, finding a 2016 statute calling for uniform wages across

U.S. Marine Corps

U.S. Office of Personnel
Management

U.S. Patent and Trademark Office

U.S. Senate

U.S. Supreme Court

United Nations

the state has no affirmative component of discrimination.

PRIVACY & CONSUMER PROTECTION

Rep. Looks To Free Consumers From Political Robocalls

A Republican member of the U.S. House of Representatives floated legislation Wednesday that would add political robocalls to the universe of unsolicited communications that can't be blasted out to consumers with numbers on the national Do Not Call list.

PRODUCT LIABILITY

FDA Offers Advice To Food Industry On Drafting Guidance

The U.S. Food and Drug Administration on Tuesday laid out tips for members of the food industry to draft their own food safety guidance documents to help their peers comply with the requirements of the Food Safety Modernization Act.

INTERNATIONAL TRADE

EU, Mexico Still Eyeing Trade Pact Amid Rising Protectionism

Vowing to forge ahead at a time when protectionist sentiments are on the rise and support for trade liberalization is lagging, the European Union and Mexico said Wednesday that they're moving up talks to upgrade their sweeping free trade agreement.

Hatch Ready To Move On From 'Painful History' Of TPP Failure

Senate Finance Committee Chairman Orrin Hatch, R-Utah, said Wednesday that it was imperative for Congress to put the "painful history" of the Trans-Pacific Partnership in the rearview mirror and allow the Trump administration to take the lead in crafting a new trade strategy.

IMMIGRATION

III. Men Who Sued Over Trump Ban To Be Allowed Into US

Two men who sued President Donald Trump in Illinois federal court this week after his executive order on immigration barred them from the country will be allowed back into the U.S., their attorneys said Wednesday.

Del. To Aid Wash. State Suit Over Trump Immigration Ban

Delaware Attorney General Matt Denn said Wednesday that the First State plans to provide assistance in Washington state's lawsuit to block President Donald Trump's immigration ban, with several legal heavyweights like former state Chief Justice E. Norman Veasey working on the case for free.

TELECOMMUNICATIONS

Cable Group Asks FCC To Bump Regulatory Fees For Satellite

A trade group representing internet and television companies has encouraged the Federal Communications Commission to increase the regulatory fees charged to direct broadcast satellite providers, reasoning that those entities eat up comparable FCC resources as traditional cable and broadband companies.

FCC Must Not Reallocate High-Frequency Spectrum: Group

NCTA - The Internet & Television Association urged the Federal Communications Commission Tuesday to reject a bid from wireless companies to reallocate currently unlicensed high-frequency bandwidth for licensed use, saying the open spectrum is important for the development of short-range unlicensed wireless services.

TWC Wants Fed. Court To Take Calif. City's Suit Over Fees

Time Warner Cable on Tuesday asked a San Diego federal court to take up a suit brought against it by the city of Del Mar, California, in state court over allegedly improper charges for government service fees and withholding the payment of other city fees.

EXPERT ANALYSIS

Why Trump Should Keep Legal Immigrants Legal

Both the Trump administration and Congress would be wise to leave in place U.S. Citizenship and Immigration Services' new rule aimed at offering job flexibility for high-skilled foreign workers, which was not only enacted in accordance with the Administrative Procedures Act, but also allows skilled foreign workers to maintain their legal status, says Jacob Muklewicz of Kirton McConkie PC.

ACA In The Crosshairs: 1st Steps Toward Repeal

On his first day in office, President Donald Trump signed an executive order confirming his administration's intent to repeal and replace the Affordable Care Act. Clearly, the order confirms that the repeal and replacement of the ACA remains among the Trump administration's highest priorities. However, the order, standing alone, will likely have little impact on the current operation of the ACA, say attorneys at Proskauer Rose LLP.

How The Cayman Islands Updated Its Confidentiality Law

Last year, as part of a move toward transparency, cooperation and information-sharing, the Cayman Islands replaced its 40-year-old confidentiality law with a new statute. The key change is that disclosure of confidential information is no longer a criminal offense; instead, liability is returned to the realm of common law and rules of equity, say Andrew Bolton and Jane Hale of Appleby.

Dialing In: Hot TCPA Issues For 2017

The Federal Communications Commission's new chairman, Ajit Pai, has historically disagreed with many facets of the Telephone Consumer Protection Act. Now that he is in a position to shape the TCPA to his liking, he and several other key factors may significantly impact the future of the act, say attorneys with Eversheds Sutherland LLP.

LEGAL INDUSTRY

The Top In-House Hires Of January

The new year brought new legal leadership roles to a host of in-house attorneys at companies including Exelon, US Foods and Fifth Third Bank. Here are the in-house hires you should know about.

Eversheds Sutherland To Offer Bonuses For Teamwork

Leadership of the now-combined, 2,300-attorney global giant Eversheds Sutherland, the result of a rare trans-Atlantic tie-up inked in December, revealed Wednesday that the firm has set up special bonus pools to incentivize collaboration among its attorneys.

IRS Atty 'Broke Bad,' Sold Meth In The Mail, Say Prosecutors

An attorney for the Internal Revenue Service had "better call Saul" after prosecutors on Wednesday arrested and charged the former Debevoise & Plimpton LLP associate and Georgetown Law ethics teacher with conspiring to ship distribution levels of methamphetamine to Long Island from his apartment in Washington, D.C.

Legal Field Could Benefit From Mindfulness Training: Paper

The benefits of mindfulness are coming to the fore in popular culture and a number of U.S. industries, but little is known about its advantages in the legal field where it has the

potential to boost decision-making, ethics and leadership skills, a new paper said Tuesday.

JOBS
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From: Gongwer News Service
Sent: Thursday, February 2, 2017 8:28 AM
To: Rep30
Subject: Ohio Media Clips, Thursday, February 2



NEWS

Governor: Ohio must embrace future, change Rust Belt image (Akron Beacon Journal, 2/2/2017)

With \$2.6M, Ohio creates network to support violence victims (Associated Press, 2/2/2017)

Kasich: Losing Amazon isn't 'game over' (Cincinnati Enquirer, 2/2/2017)

Sanctuary city 'over our dead body,' Mandel says (Cincinnati Enquirer, 2/2/2017)

Sen. Brown blocks committee vote on Trump's Treasury nominee (Cincinnati Enquirer, 2/2/2017)

'Right to work' won't be popular in Ohio, state lawmakers say (Cleveland Plain Dealer, 2/2/2017)

New Ohio GOP Chairwoman Jane Timken's message for Kasich allies: 'I will not keep score' (Cleveland Plain Dealer, 2/2/2017)

Ohio to appeal court ruling preserving Cleveland's Fannie Lewis Law (Cleveland Plain Dealer, 2/2/2017)

Sherrod Brown stalls Steve Mnuchin, Josh Mandel slams sanctuary cities: Ohio Politics Roundup (Cleveland Plain Dealer, 2/2/2017)

Callers jam Senate phone lines with concerns about Trump nominees (Columbus Dispatch, 2/2/2017)

Kasich administration makes final push to Medicaid managed care (Columbus Dispatch, 2/2/2017)

Kasich says state did all it could to land \$1.4 billion Amazon hub (Columbus Dispatch, 2/2/2017)

Kasich tax plan faces questions from House panel (Columbus Dispatch, 2/2/2017)

The Daily Briefing: David Pepper, Jane Timken differ on which party has more energy (Columbus Dispatch, 2/2/2017)

Call volume overwhelms Senate switchboard (Dayton Daily News, 2/2/2017)

Dayton Mayor Nan Whaley 'considering' run for governor (Dayton Daily News, 2/2/2017)

Kasich gives his take on the Wright Brothers, Trump and Ohio's image (Dayton Daily News, 2/2/2017)

Ohio Gov John Kasich reacts to loss of 300 Amazon jobs to Kentucky (Dayton Daily News, 2/2/2017)

Ohio House speaker rents luxury condo from top GOP donor (Dayton Daily News, 2/2/2017)

Budget chief: Kasich conservative on growth (Toledo Blade, 2/2/2017)

Portman, Brown react to Supreme Court pick (Toledo Blade, 2/2/2017)

Senator's war chest ahead of 2012 pace (Toledo Blade, 2/2/2017)

EDITORIALS

Cities, refugees and the president's flawed executive order (Akron Beacon Journal, 2/2/2017)

Mandel: We are at war with radical Islam (Cincinnati Enquirer, 2/2/2017)

Sen. Rob Portman must lead in legislative efforts to counter President Trump's dangerously expansive travel ban: editorial (Cleveland Plain Dealer, 2/2/2017)

Committed to the law (Toledo Blade, 2/2/2017)

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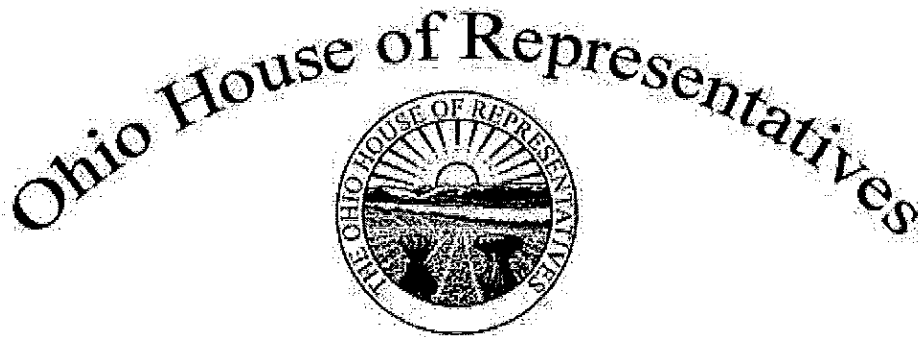
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From: Thawley, Roanna
Sent: Thursday, February 2, 2017 11:08 AM
To: Thawley, Roanna
Subject: DEADLINE EXTENDED Co-Sponsor Request: Public Sector Right-to-Work

****Deadline extended to Monday, February 6, 2017 @
5 PM.****



Representative John Becker
Ohio's 65th House District

MEMORANDUM

To: GOP House Members
From: Representative John Becker
Date: February 2, 2017
RE: Co-Sponsor Request: Public Sector Right-to-Work

I will soon be reintroducing a public sector right-to-work bill. This bill was previously introduced in the 131st General Assembly as HB 583.

There is a national trend of states moving to implement right-to-work laws. With Kentucky being the 27th state to continue that trend, it's time Ohio steps up to the plate. All of Ohio's neighboring states, with the exception of Pennsylvania, have right-to-work laws on the books.

This legislation:

- Provides public sector workers the choice to opt out of union representation and dues.
- Allows non-union employees to voluntarily make financial contributions to a union.
- Protects unions from the requirement of representing non-union employees.
- Appropriates \$30,000 in fiscal year 17 for pamphlets and brochures.

If you would like to co-sponsor this legislation or have any questions, please contact Roanna Thawley at (614) 466-8134 or Roanna.Thawley@ohiohouse.gov. The deadline to co-sponsor is COB, Monday, February 6, 2017. Thank you for your consideration.

Roanna Thawley

Legislative Aide

State Representative John Becker | Ohio House District 65

77 S. High Street, 12th Floor | Columbus, OH 43215

(614) 466-8134

roanna.thawley@ohiohouse.gov

From: Public Policy Law360
Sent: Friday, February 3, 2017 5:33 AM
To: Rep30
Subject: House Panel OKs Bill Mandating Sanctions On Frivolous Suits



Friday, February 3, 2017



TOP NEWS

House Panel OKs Bill Mandating Sanctions On Frivolous Suits

Sanctions for frivolous federal lawsuits could become mandatory again, if a bill passed by a House panel Thursday makes it through the rest of Congress.

Analysis

New National Right-To-Work Bill Has Real Chance

The national right-to-work bill introduced Wednesday in the House of Representatives poses an existential crisis for the labor movement. And where past attempts at a national law didn't get far, experts say this latest push has a real — albeit small — chance of success.

Sen. Committee Suspends Rules, Advances Pruitt EPA Nom

The U.S. Senate Environment and Public Works Committee on Thursday advanced Oklahoma Attorney General Scott Pruitt one step closer to taking the helm of the U.S. Environmental Protection Agency after suspending rules that required members of the minority party to be present, as Democrats boycotted the vote for the second day in a row.

LAW FIRMS

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Cooley
Covington & Burling
Crowell & Moring
DLA Piper
Faegre Baker
Figliulo & Silverman
Fisher Phillips
Flaherty Sensabaugh
Gibson Dunn
Girard Gibbs
Goodwin
Heins Mills
Holland & Knight
Hunton & Williams
Jackson Lewis

White House Chides Dems For Gorsuch Filibuster Threats

The Trump White House on Thursday slammed Senate Democrats for demanding 60 votes to place Tenth Circuit Judge Neil M. Gorsuch in the late Justice Antonin Scalia's Supreme Court seat, saying that the minority party is "grasping at straws" with its stated plan to filibuster the nominee.

Congress Passes Bill To Revoke Stream Protection Rule

The first bill to repeal one of former President Barack Obama's administrative rules cleared Congress on Thursday, as the Senate passed a bill to undo a controversial Obama administration rule aimed at minimizing coal mining's harm to surface water and groundwater.

Trump Budget Pick Heads To Full Senate After Panel Approval

A pair of Senate committees on Thursday approved the South Carolina Republican who will likely be President Donald Trump's top budget officer, sending through a conservative with sharp criticisms of government overspending.

Analysis

Trump Gets Scant Support On Eased FDA Oversight

President Donald Trump's interest in slashing regulations and speeding up approvals at the U.S. Food and Drug Administration is getting a cool reception from drugmakers and consumer advocates, many of whom see big risks and little reward.

Analysis

Gorsuch Could Tip Scales Against SEC's Admin Court

U.S. Supreme Court nominee Judge Neil Gorsuch has called for firmly separating government powers and has expressed skepticism of rampant agency rulemaking,

Krage & Janvey

Locke Lord

Lynn Pinker

Mayer Brown

McGuireWoods

Milberg LLP

Miller Shakman

Mintz Levin

Morgan & Morgan

Morgan Lewis

Morrison & Foerster

Nichols Kaster

Norton Rose Fulbright

O'Melveny & Myers

Ogletree Deakins

Pitt McGehee

Ropes & Gray

Ryan Smith

Shaw Keller

Skadden

Steptoe & Johnson LLP

Stueve Siegel

Sullivan & Cromwell

Trenam Law

Weinberg Wheeler

Weitz & Luxenberg

Wiley Rein

Wilkinson Barker

Wilkinson Walsh

Winston & Strawn

Wright & Talisman

Young & Associates

COMPANIES

Acorda Therapeutics, Inc.

Amazon.com Inc.

Ameren Corporation

American Bar Association

American Chemistry Council Inc.

views experts say bode poorly for the U.S. Securities and Exchange Commission as its fight to keep its administrative tribunal approaches the high court.

Analysis

Public Knowledge Chief Wary Of Empty Rhetoric At New FCC

New Federal Communications Commission Chairman Ajit Pai has taken an encouraging first step by focusing on closing the digital divide, nonprofit Public Knowledge's President and CEO Gene Kimmelman told Law360 in a recent interview, but he worries a critical gap may remain between Pai's stated goals and chosen tactics.

BANKING & SECURITIES

Analysis

Looming Repeal Of SEC Oil & Gas Rule Stokes Bribery Fears

The likely repeal of a regulation that requires oil and gas extraction companies to disclose their payments to governments will make it easier for those firms to hide potentially corrupt payments from their investors and allow them to continue greasing the palms of foreign officials, anti-corruption activists say.

House Committee Chair Wants Pause On DOL Fiduciary Rule

The House Rules Committee leader asked President Donald Trump on Wednesday for a longer delay for the U.S. Department of Labor's fiduciary rule for retirement account advisers, saying the government needs longer than a few months to "undo the damage" the rule would cause.

CFTC Grants Grace Period For EU Swap Margin Rules

The U.S. Commodity Futures Trading Commission declared on Wednesday that it will not take enforcement action until May 8 against dealers that follow European rules on swap margin requirements but don't comply with the

American Civil Liberties Union
American Farm Bureau Federation
American Petroleum Institute Inc.
Amneal Pharmaceuticals LLC
Anthem Inc.
Associated Press
AstraZeneca
BP p.l.c.
Buckeye GP Holdings L.P.
CKE Restaurants, Inc.
Center for Biological Diversity Inc.
Chevron Corporation
CropLife America Inc.
Dr. Reddy's Laboratories Limited
Edison Electric Institute Inc.
EmblemHealth Inc.
Exxon Mobil Corporation
Facebook
Financial Industry Regulatory Authority Inc.
Ford Motor Company
Herbalife Ltd.
Intellectual Ventures
Inter IKEA Systems BV
JPMorgan Chase & Co.
Key Energy Services, Inc.
Lyft Inc.
Marathon Petroleum Corp.
Mercedes-Benz
Momenta Pharmaceuticals, Inc.
Morgan Stanley
Mortgage Bankers Association
Mylan NV
National Association of Broadcasters
National Collegiate Athletic Association

American rules, while the commission grapples with whether the two sets of rules are compatible.

ENERGY & ENVIRONMENTAL

FERC Refusal-Rights Ruling Should Stick, High Court Told

The federal government on Wednesday urged the U.S. Supreme Court to reject efforts to reinstate a regional grid operator's rights of first refusal that gave incumbent transmission owners first crack at building new projects, saying the Federal Energy Regulatory Commission's rejection of those rights is consistent with the high court's precedent.

9th Circ. Revives Greens' Suit Over EPA Pesticide Approvals

The Ninth Circuit on Thursday partially revived a lawsuit filed by green groups alleging that the U.S. Environmental Protection Agency violated the Endangered Species Act when it registered certain pesticide ingredients and products without first consulting with other agencies.

Mich. Gov., State, City Dodge Flint Water Class Action

A Michigan federal judge tossed a proposed civil rights class action against Michigan Gov. Rick Snyder, the state, the city of Flint and other public officials Thursday over their alleged roles in a lead-tainted drinking water crisis that struck the town, finding the suit's claims are preempted by the federal Safe Drinking Water Act.

Pa. Lawmakers Raise Concerns Over Pipeline Redirection Bid

More than 50 Pennsylvania lawmakers told the state's Public Utility Commission on Wednesday that they were concerned that Laurel Pipeline Co. LP's plans to reverse the flow of a section of pipeline could have a negative impact on the price and supply of

National Federation of Independent Business
National Immigration Law Center
National Retail Federation Inc.
Natural Resources Defense Council
New York University
Nike Inc.
Otter Tail Corp.
Pfizer Inc.
PhRMA
Pre-Paid Legal Services Inc.
Public Knowledge
Qwest Communications International Inc.
Royal Dutch Shell PLC
SIFMA
SYSCO Corporation
Sarepta Therapeutics Inc.
Securus Technologies Inc.
Spectra Energy
State Compensation Insurance Fund
Sunoco
Synthon Holding BV
Target Corporation
Tax Foundation
Teva Pharmaceutical Industries Limited
Toshiba
Turner Broadcasting System Inc.
U.S. Chamber of Commerce
U.S. Foods Inc.
Verizon Communications
Wal-Mart Stores Inc.
Wells Fargo & Co.
Yamaha Motor Co.
Zeughauser Group LLC

GOVERNMENT AGENCIES

petroleum products in the state's western reaches.

Citing Lack Of Quorum, Sens. Demand FERC Pull Pipeline OK

Massachusetts Democratic Sens. Elizabeth Warren and Ed Markey asked the Federal Energy Regulatory Commission on Wednesday to pull its recent approval of the Atlantic Bridge pipeline project in New England, saying the commission's current lack of quorum deprives project opponents of the right to challenge the controversial pipeline expansion.

TRANSPORTATION & INFRASTRUCTURE

Chicago Hit With Suit Challenging Uber Ad Ban

A lawsuit filed in Illinois federal court Thursday seeks to undo a Chicago ordinance prohibiting advertisement in vehicles hailed through ride-booking services like Uber, arguing that permitting taxicabs to advertise while denying the same to smartphone-based applications is an unconstitutional restriction of speech.

Feds Slam Va. Motorists' Challenge To Dulles Tolls

The federal government has asked a judge to toss a proposed class action alleging the Metropolitan Washington Airports Authority is unconstitutionally using toll revenue from Dulles Toll Road motorists to fund Washington Metrorail's Silver Line extension, calling the class claims meritless and untimely.

Bus Cos. Join Truckers Targeting NY Thruway Tolls

The nation's largest bus company trade association hit the New York State Thruway Authority with a proposed class action in New York federal court Wednesday, joining a similar effort by a truckers group claiming the Authority

Bureau of Indian Affairs
Bureau of Labor Statistics
Centers for Medicare & Medicaid Services
Commodity Futures Trading Commission
European Commission
Executive Office for Immigration Review
Executive Office of the President
Federal Acquisition Regulatory Council
Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Energy Regulatory Commission
Federal Reserve System
Federal Trade Commission
Fish and Wildlife Service
Food and Drug Administration
Internal Revenue Service
Metropolitan Washington Airports Authority
Morongo Band of Mission Indians
NAFTA
NATO
National Labor Relations Board
National Marine Fisheries Service
New Jersey Attorney General's Office
New York Attorney General's Office
Occupational Safety and Health Administration
Office of Surface Mining Reclamation and Enforcement
Port Authority of New York & New Jersey
Securities and Exchange Commission

improperly used more than \$1 billion in toll revenues to maintain canals upstate.

Christie GWB Case Alive As Judge Mulls Probable Cause

A New Jersey judge on Thursday kept alive an activist's criminal complaint accusing Gov. Chris Christie of official misconduct over lane closures at the George Washington Bridge, rejecting the governor's argument that the complaint has been dismissed in light of prosecutors saying they won't pursue charges in the matter.

EMPLOYMENT

Trump Admin Memo Delays OSHA Beryllium Rule For 11 Days

The effective date of a new rule created to protect workers from beryllium, a material that can cause lung disease, has been delayed by the Department of Labor for 11 days in order to comply with a memorandum issued by the Trump administration on Inauguration Day that halted and delayed new regulations, according to a Wednesday departmental notice.

House Moves To Nix Fair Pay And Safe Workplaces Rule

The House put through a bill to overturn the federal Fair Pay and Safe Workplaces rule Thursday, as part of a broader package aimed at undoing rule-makings under former President Barack Obama.

Group Wants Labor Nom Puzder's Divorce Records Public

A government accountability nonprofit asked a Missouri state court Thursday to unseal the divorce records of labor secretary nominee Andrew Puzder amid reports of domestic violence incidents, saying the Senate committee in charge of his confirmation should have a chance to review those records.

U.S. Attorney's Office
U.S. Consumer Product Safety Commission
U.S. Customs and Border Protection
U.S. Department of Defense
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of Transportation
U.S. Department of the Interior
U.S. Department of the Treasury
U.S. Environmental Protection Agency
U.S. House of Representatives
U.S. Office of Personnel Management
U.S. Senate
U.S. Supreme Court

DOD Outlines Civilian Exemptions To Federal Hiring Freeze

The U.S. Department of Defense on Thursday made public its guidance on which civilian positions it believes are exempt from a recently announced federal hiring freeze, as Republican lawmakers urged President Donald Trump to extend exemptions to include DOD acquisition staff.

GOP Reps Tell NLRB General Counsel: Pull Memo Or Quit

Rep. Virginia Foxx, R-N.C., head of the House Committee on Education and the Workforce, on Thursday ripped a recent memorandum issued by National Labor Relations Board general counsel Richard Griffin deeming college football players as employees under federal labor law, saying he should either rescind the memo or quit.

COMPETITION

FTC Should Ease Document Requests, Ohlhausen Says

Newly appointed acting head of the U.S. Federal Trade Commission Maureen Ohlhausen said Thursday she would work in the near term to review and streamline the agency's informational requests during investigations to reduce their strain on businesses.

PRIVACY & CONSUMER PROTECTION

CPSC Won't Follow Trump Order On Regs, Citing Safety

The head of the Consumer Product Safety Commission on Thursday said that President Donald Trump's recent executive order requiring that two regulations be nixed for each new rule passed doesn't apply to the independent agency and that following the order would undermine public safety.

Wal-Mart To Pay \$1M Over 'Biodegradable' Labels In Calif.

Wal-Mart Stores Inc. agreed to pay just under \$1 million to settle a consumer protection action by a group of California district attorneys over allegedly mislabeled plastic products that claimed to be "biodegradable" or "compostable," Alameda County said Wednesday.

GOVERNMENT CONTRACTS

GOP Trio Pushes Trump To Protect Whistleblowers

Sen. Chuck Grassley, R-Iowa, led a trio of Republican lawmakers on Wednesday in urging the Trump administration to take steps to protect government whistleblowers in order to encourage transparency in governance, saying guidance is needed particularly in light of reports of "gag" orders at several federal agencies.

INTERNATIONAL TRADE

Mexico Opens 90-Day Comment Period On NAFTA Changes

The Mexican government said Wednesday it has begun a 90-day comment process required to enact revisions to the North American Free Trade Agreement.

Conservatives Mobilize To Rein In Trump's Trade Powers

A coalition of small-government think tanks and advocacy groups on Thursday threw their weight behind a bill from Sen. Mike Lee, R-Utah, that would scale back the White House's trade authority, subjecting any new unilateral tariff increases to congressional review.

TAX

Rival Interest Groups Square Off Over GOP Tax Plan

Businesses are splitting into camps over a proposed GOP tax overhaul that would dramatically change how corporations are taxed in the U.S., with advocacy groups claiming

dozens of members have rallied in support and in opposition to the plan in the past two days.

CPAs Want IRS Guidance On Startup Research Credits

The American Institute of CPAs asked the Internal Revenue Service for new regulations Wednesday to provide clarity on research credit benefits recently expanded by Congress for small startups, with a wish list that includes a clear definition of gross receipts and better-defined eligibility criteria.

Trump Targets Law Blocking Churches From Political Activity

President Donald Trump pledged Thursday to eliminate an Internal Revenue Code provision that prevents certain tax-exempt groups such as churches from political activity, saying that the law undermines religious freedom.

IMMIGRATION

Top Judge Ranks Detention Cases Over Child Rocket Docket

U.S. Chief Immigration Judge MaryBeth Keller instructed all immigration judges and staff Tuesday to make detention cases a top priority immediately, switching the government's focus from unaccompanied children in the face of the Trump administration's potential new immigration policies.

Gov't 'Provisionally' Revokes Visas From 7 Banned Nations

The U.S. State Department has provisionally revoked most visas from the seven predominantly Muslim countries blocked from entering the U.S. by President Donald Trump's executive order last week, according to a notice filed in Massachusetts federal court Tuesday.

DHS Watchdog Probing Immigration Ban Implementation

The U.S. Department of Homeland Security's watchdog said Wednesday that it will be

probing implementation of perhaps the most controversial of President Donald Trump's executive actions as nascent commander-in-chief, citing complaints and congressional pressure to investigate implementation of the ban on immigration from seven Muslim-majority countries.

ACLU Says Trump Hasn't Provided Full List Of Detainees

The ACLU and other groups challenging the Trump administration's ban on immigration from seven majority-Muslim countries charged Thursday in Brooklyn federal court that they have not received a full list of people who have been detained or removed, despite a federal judge's Saturday order to provide that information and to cease deportations.

TELECOMMUNICATIONS

FCC Pilots Plan To Release Draft Items Weeks Before Vote

Federal Communications Commission Chairman Ajit Pai on Thursday released the text of an order and a proposal set for a vote at this month's meeting to pilot a process change that would make drafts of items public weeks before they receive a vote, describing it as a push for transparency.

FCC's O'Rielly Warns To Be 'Leery' Of Broadband Spending

Republican Federal Communications Commissioner Michael O'Rielly urged lawmakers to be "leery" of communications infrastructure spending, saying on Wednesday that if new government money must be put toward broadband, it should be done in a way that does not create regulatory roadblocks.

NYC Wants Regulations For 911 Apps

The city of New York on Thursday urged the Federal Communications Commission to hold proceedings to adopt rules to regulate 911 applications for smartphones and prohibit the

sale of 911 apps that provide misleading data to dispatchers.

NJ Inmate Call Co. Sues Gov. Christie Over Rate Caps

A company providing inmate calling services at two county jails in New Jersey has asserted in a New Jersey state court lawsuit against Gov. Chris Christie and others that a new state law improperly sets per-minute rates at less than what the business requires to break even.

CALIFORNIA

Sens. McCain, Flake Introduce Bill To Split 9th Circ.

Republican lawmakers on Thursday renewed their push to break up the Ninth Circuit Court of Appeals — the country's largest in terms of caseload and area covered — and create a new circuit with the jurisdictions of California, Hawaii and Oregon.

EXPERT ANALYSIS

The IRS Needs Help

As President Donald Trump's 9s nominee for treasury secretary, Steven Mnuchin, testified in his confirmation hearing, the Internal Revenue Service is underfunded and needs more manpower. Because the agency has lost nearly 15,000 staff positions in five years, and struggles with outdated technology, its tax enforcement capabilities have been devastated, say Kat Saunders Gregor, Gabrielle Hirz and Hillel Nadler of Ropes & Gray LLP.

Opinion

Calif. Retention Of Holder Is A Risky Legal Proposition

California's hiring of former U.S. Attorney General Eric Holder and his team suggests the state's Legislature plans to fight any effort to curtail its greenhouse gas reduction efforts or to allow pullback on any other policies. But in its haste to take an aggressive stand against

President Donald Trump, the heads of the state Senate and Assembly have exhibited questionable judgment, says Jeffrey Dintzer of Gibson Dunn & Crutcher LLP.

The Privacy Implications Of Trump's Immigration Order

President Donald Trump's recent executive order expanding enforcement of U.S. immigration laws is a departure from how the federal government previously has treated personally identifiable information of those who are not U.S. citizens or lawful permanent residents, in many contexts, including the processing of visas and immigration records, say attorneys with Ropes & Gray LLP.

Trump Will Likely Hinder Federal Recognition For Tribes

If history is any guide and President Donald Trump is consistent with Republican policies, the Trump administration will likely roll back several of the Obama's administration's policies and regulations that have made it easier for Native American tribes to gain federal recognition, say Ryan Smith and Michael Smith of Brownstein Hyatt Farber Schreck LLP

ACA's Impact On 'Most Likely' Cost Of Future Care

Notwithstanding continued opposition, the Affordable Care Act remains the governing law of the land. As a result, legislators, judges and attorneys must determine whether evidence of the cost of coverage under the ACA should now be viewed as the "most likely" cost of future care, say attorneys at Weinberg Wheeler Hudgins Gunn & Dial LLC.

Can Federal Agencies Reverse Course Under Trump?

The next four years will see litigation that explores the extent to which the Trump administration can alter or reverse the regulatory policies of the Obama administration without having to enact new legislation. The U.S. Supreme Court has recently made clear

that there are fewer limits to an agency changing course than had previously been thought, says Steven Gordon of Holland & Knight LLP.

Opinion

An Open Letter To The New FTC Chair On Pyramid Schemes

While network marketing can be a tool for entrepreneurial success, some firms still rely on tricks and get-rich-quick claims. Outgoing Federal Trade Commission Chairwoman Edith Ramirez addressed the issue of pyramid schemes in an important speech last fall. The new head of the FTC should give Ramirez's ethical guidelines in this area the force of law, says Jeff Bell, CEO of LegalShield.

LEGAL INDUSTRY

Analysis

Why A Norton Rose Fulbright-Chadbourne Merger May Work

Global legal giant Norton Rose Fulbright and New York-based Chadbourne & Parke LLP are discussing a possible merger, the law firms said Thursday, a tie-up that experts say could give both firms a boost in their ability to compete in a cutthroat legal market.

Law360's Weekly Verdict: Legal Lions & Lambs

A sanctions order against Cooley LLP and client Invincea Labs for discovery failures in the course of an infringement case landed the law firm among this week's legal lambs, while Locke Lord LLP and its defense team at Miller Shakman & Beem LLP took the lion title after escaping RICO charges at the Seventh Circuit.

Bar Prep Co. Says Schools, Rival Must Face Collusion Suit

LLM Bar Exam LLC on Wednesday told a New York federal court that rival Barbri Inc. and several law schools must face its \$50 million suit alleging they conspired to stifle competition for bar exam prep courses targeted at foreign

students, saying its claims are more than adequate.

JOBS

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From: NCSL TODAY
Sent: Friday, February 3, 2017 10:43 AM
To: Rep30
Subject: What's driving population decline in more states?

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TOP NEWS Feb. 3, 2017

What's driving population decline in more states?

Stateline

More states lost population last year than in 30 years. Some of the loss can be attributed to national demographic trends — but not all of it.

Bipartisan Tennessee bill would require safety restraint systems in all school buses

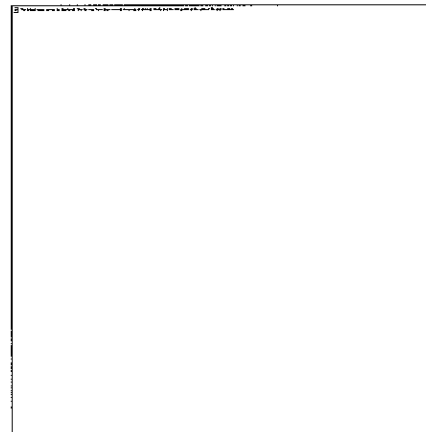
Chattanooga Times Free Press

Beginning July 1, 2018, the bill will require safety restraint systems on any Tennessee school bus ordered or purchased by a public or private school or system intended to transport students, as well as for extracurricular activities and other school events. **NCSL data cited.**

NCSL resources on school bus safety.

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FEATURED

= A

A Rocky Road: new issue of State Legislatures magazine

Broadly speaking, public-private partnerships, known as P3s, are agreements in which a private-sector party provides a service

U.S. starts year with jobs surge but pay gains are weak

The New York Times

Employers added a healthy 227,000 workers to their payrolls in January, the government reported on Friday. But despite a surge of local minimum-wage increases, average hourly earnings grew by only 0.1 percent.

Missouri lawmakers send right-to-work law to governor's desk

St. Louis Post-Dispatch

A moment long dreaded by the state's labor unions and their supporters arrived on Thursday, as Missouri lawmakers sent a right-to-work proposal to a Republican governor who has promised for months that he'd sign it. NCSL resources on right-to-work laws.

Kansas exceeds January revenue estimate, lawmakers mull how to close shortfall

Topeka Capitol-Journal

Kansas took in about \$24 million more than anticipated in January, the third month in a row in which revenue has met or exceeded expectations, though the windfall put only a small dent in the state's budget shortfall.

California lawmakers can't figure out what to do with Airbnb

The Los Angeles Times—A

Short-term rental legislation has failed in Sacramento for multiple reasons, those on all sides of the issue said, including cities' reluctance to let the state involve itself in local tax collection and the relative political strengths of both

that is traditionally delivered by a public agency. In terms of infrastructure, a private partner typically assumes significant responsibility and risk over a project's design, construction or operation.



Federal action and health system changes

'Our American States': a new NCSL podcast

Capitol-to-Capitol state-federal newsletter



Preventing opioid misuse; legislative trends and predictions

As overdose deaths from opioids—including prescription drugs—continue to rise, strategies to confront the epidemic are likely to stay at the forefront during the 2017 legislative sessions.

Airbnb and labor unions, which are typically the industry's most powerful adversaries.



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7700 East First Place, Denver, CO 80230

From: Public Policy Law360
Sent: Monday, February 6, 2017 5:17 AM
To: Rep30
Subject: '1 In, 2 Out' Rule May Spell Headaches For AIA Rulemaking



Dewey Retrial Begins

Follow our live coverage throughout the trial.

Monday, February 6, 2017



TOP NEWS

Analysis

'1 In, 2 Out' Rule May Spell Headaches For AIA Rulemaking

President Donald Trump's recent "one in, two out" order on new regulations could create additional headaches for the U.S. Patent and Trademark Office, some experts believe, particularly as the agency tries to refine the burgeoning America Invents Act trial proceedings.

Dems Give Gorsuch The Garland Treatment On Week One

The first workweek of Judge Neil Gorsuch's nomination to the Supreme Court came to a close on Friday without support from a single Democratic senator, signaling the deep resentment the minority party harbors from the GOP's recent obstruction of former President Barack Obama's pick.

Analysis

Trump Faces Tough Challenges In Bolstering Cybersecurity

LAW FIRMS

Akerman
Brown Rudnick
Brownstein Hyatt
Bryan Cave
Buchanan Ingersoll
Chiesa Shahinian
Connell Foley
Covington & Burling
Cravath Swaine
Desmarais LLP
Dewey & LeBoeuf
Dinsmore & Shohl
Eversheds Sutherland
Fennemore Craig
Fenwick & West
Foley & Lardner
Goodwin
Greenberg Gross
Greenberg Traurig
Haynes and Boone

President Donald Trump and members of his administration have vowed to improve cybersecurity against infrastructure attacks, data breaches and the influence of foreign governments, but a complicated regulatory and logistical landscape promises to make the task far from simple.

Gorsuch's Boutique Years Brought Trial Skills And Top Pay

Still looking like a lanky youth when he joined a just-launched D.C. boutique in his mid-20s as a litigator, Neil Gorsuch quickly gained the kind of courtroom time and start-to-finish litigation experience befitting a far more seasoned lawyer.

Analysis

Bruising Fight For Fate Of Dodd-Frank Lies Ahead

While President Donald Trump's order for a review of rules mandated by the Dodd-Frank Act doesn't have much bite when it comes to rolling back those policies, its real effect is to set the terms of what's likely to be a drawn-out battle for how financial firms are regulated.

Analysis

Ex-BOEM Heads Urge Trump To Stay Course On Offshore Wind

While President Donald J. Trump has made fossil fuel development — onshore and offshore — a priority, he shouldn't slam the brakes on the offshore wind program developed by the Obama administration, which has already produced the U.S.' first commercial offshore wind farm, the two former heads of the Bureau of Ocean Energy Management recently told Law360.

FCC Transparency Move Could Bring Avalanche Of Comments

Federal Communications Commission Chairman Ajit Pai's first major change to the agency's processes, a move to release draft items weeks before the agency votes, is likely to result in a flood of additional filings and work

Holland & Knight

Hopping Green

Jackson Lewis

Jenner & Block

Jones Day

Kasowitz Benson

Katten Muchin

Keker & Van Nest

Kelley Drye

Kellogg Huber

Kirkland & Ellis

Latham & Watkins

Lewis Brisbois

Maraziti Falcon

Masuda Funai

Mayer Brown

Milbank Tweed

Mintz Levin

Morgan Lewis

Morrison & Foerster

Nabors Giblin

O'Melveny & Myers

Oblon

Ogletree Deakins

Orrick Herrington

Pillsbury Winthrop

Polsinelli

Powers Pyles

Proskauer Rose

Quarles & Brady

Renaissance IP Law Group

Seward & Kissel

Sheppard Mullin

Sidley Austin

Skadden

Squire Patton Boggs

Stark & Stark

Steptoe & Johnson LLP

for staff, but the increased transparency may outweigh any potential drawbacks.

Trump Pick For No. 2 At CIA Draws Mixed Reaction

President Donald Trump's selection of career intelligence officer Gina Haspel as deputy director of the Central Intelligence Agency on Thursday drew backlash from critics concerned over her association with so-called "black sites" and torture programs along with a chorus of approval from former high-ranking intelligence officers.

3rd Circ. Judge, Trump's Sister, Stops Hearing Cases

Third Circuit Senior Judge Maryanne Trump Barry, who is President Donald Trump's older sister, decided this week to go inactive on the bench, relinquishing her staff and chambers despite being scheduled to hear cases this year.

Sens. McCain, Flake Introduce Bill To Split 9th Circ.

Republican lawmakers on Thursday renewed their push to break up the Ninth Circuit Court of Appeals — the country's largest in terms of caseload and area covered — and create a new six-state circuit splintered off from California, Hawaii and Oregon.

BANKING & SECURITIES

SEC Payment Disclosure Rule Moves Closer To Repeal

The U.S. Senate early Friday morning voted to disapprove a U.S. Securities and Exchange Commission rule requiring oil and gas extraction companies to disclose their payments to foreign governments, leaving it one step away from being fully repealed.

Trump Orders Review Of Dodd-Frank, Delay Of Fiduciary Rule

Stroock & Stroock
Thompson & Knight
Venable LLP
Vinson & Elkins
White & Case
Wilkinson Barker
Willkie Farr
Wilson Sonsini
Womble Carlyle

COMPANIES

AT&T Inc.
Alcoa Inc.
Amazon.com Inc.
America Fujikura Ltd.
American Bar Association
American Civil Liberties Union
American Federation of Labor and Congress of Industrial Organizations
American Petroleum Institute Inc.
American Psychological Association
Apple Inc.
Associated Press
Berkeley Research Group
Burford Capital LLC
Center for American Progress
Chevron Corporation
Consumer Federation of America
Deutsche Lufthansa AG
Edison Electric Institute Inc.
Electronic Frontier Foundation
Ernst & Young
Expedia Inc.
Facebook
Federalist Society
Florida Power & Light Co.
Friedman LLP

President Donald Trump signed two executive orders Friday in first steps following through on promises to roll back financial regulations, directing a wide review of financial regulations aimed at rolling back the Dodd-Frank Act and ordering a delay of the U.S. Department of Labor's fiduciary rule for retirement account advisers.

ENERGY & ENVIRONMENTAL

Murray Fee Fight Paused Amid EPA Coal Jobs Ruling Appeal

A West Virginia federal judge on Thursday postponed considering Murray Energy's request to peg the U.S. Environmental Protection Agency with \$3 million in legal fees that it racked up during its successful lawsuit accusing the agency of failing to study the effect of its regulations on jobs, ruling that the matter was best left for after the EPA's appeal runs its course.

Miami Says High Court Should Reject Pro-Nuke Plant Appeal

The city of Miami has argued that the Florida Supreme Court lacks jurisdiction to review an appeals court's nixing of gubernatorial approvals for two nuclear generating units and 89 miles of transmission lines in South Florida.

High Court Asked To Review Calif. Suction Mining Ban

A California gold miner on Friday asked the U.S. Supreme Court to review the California Supreme Court's decision to uphold the state's moratorium on suction dredging for gold, arguing federal law preempts the legislation.

NJ Town, Condo Group Can't Block Riverfront Development

The New Jersey Appellate Division on Friday declined to revive challenges the city of Hoboken and residents lodged against a planned waterfront development, finding the

Goldman Sachs Group Inc.
Google Inc.
Hobby Lobby Stores
Home Depot, Inc.
International Business Machines Corporation
LexisNexis Group
Maher Terminals LLC
Mexican American Legal Defense and Education Fund
Murray Energy Corp.
NAACP Legal Defense and Educational Fund Inc.
National Immigration Law Center
National Restaurant Association
National Retail Federation Inc.
Natural Resources Defense Council
New York Times Co.
Pacific Legal Foundation
Pre-Paid Legal Services Inc.
Reed Elsevier
Ross Stores Inc.
Statoil ASA
T-Mobile USA Inc.
The Cheesecake Factory Inc.
Twitter Inc.
U.S. Chamber of Commerce
Verizon Communications
Washington Post Co.
Wells Fargo & Co.
Yahoo! Inc.

GOVERNMENT AGENCIES

Animal and Plant Health Inspection Service
Army Corps of Engineers
Bureau of Indian Affairs
Bureau of Indian Education
Bureau of Labor Statistics

state offered credible evidence supporting its decision to approve the project.

House Clears Bill Nixing Methane Flaring Rule

The U.S. House of Representatives passed a bill aimed at repealing the Department of the Interior's so-called waste prevention rule Friday, as part of a larger effort to curb former President Barack Obama's later rules.

Montana Gov. OKs Yellowstone Bison Slaughter

Montana Gov. Steve Bullock removed a roadblock he erected against the slaughter of bison from Yellowstone National Park, saying in a Thursday letter to park officials that he was content with their promise to keep 25 bison safe for eventual relocation to a Native American reservation.

Lack Of Quorum Looming, FERC Gives More Power To Staff

As Norman Bay's departure leaves the Federal Energy Regulatory Commission with only two of five possible commissioners and no quorum to perform basic regulatory functions, the commission on Friday vested its staff with additional powers to tide it over until President Donald Trump fills the empty seats.

HEALTH & LIFE SCIENCES

FDA To Divulge Full Resumes Of Outside Advisers

Bowing to litigation, the U.S. Food and Drug Administration on Friday promised to stop concealing information about outside advisers who provide the agency with influential recommendations and often have professional ties to drug and device makers.

Analysis

4 Key Takeaways As ACA Sign-Up Window Closes

Bureau of Land Management
Bureau of Ocean Energy Management
Bureau of Reclamation
California Franchise Tax Board
California Natural Resources Agency
Central Intelligence Agency
Confederated Salish & Kootenai Tribes
Consumer Financial Protection Bureau
Defense Logistics Agency
Department of Commerce
Equal Employment Opportunity Commission
Executive Office of the President
Federal Acquisition Regulatory Council
Federal Bureau of Investigation
Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Emergency Management Agency
Federal Energy Regulatory Commission
Federal Maritime Commission
Federal Reserve System
Federal Trade Commission
Financial Stability Oversight Council
Fish and Wildlife Service
Florida Department of Environmental Protection
Food and Drug Administration
Fort Peck Assiniboine and Sioux Tribes
Internal Revenue Service
Miccousukee Tribe of Indians
National Economic Council

Affordable Care Act sign-ups tapered off significantly after the Trump administration took power and scaled back consumer outreach, according to statistics released Friday. Here are key takeaways from the law's fourth enrollment period.

IP & TECHNOLOGY

Federal Regulations Can Be Copyrighted, Court Rules

A D.C. federal court ruled Thursday that private standards-setting groups can claim copyright ownership of industry rules that are transformed into federal law, thwarting a nonprofit that wanted to post the regulations online for better public access.

EMPLOYMENT

Restaurant Groups Urge Justices To Review Tip-Pooling Rule

Restaurant trade groups have petitioned the U.S. Supreme Court to hear their appeal of a Ninth Circuit ruling upholding a U.S. Department of Labor rule regulating when so-called "tip pools" can be instituted by employers, eviscerating the circuit court's "cavalier approach" to interpreting statute.

Trump Hiring Freeze Stymies Trade Enforcement: Dem Sens.

President Donald Trump ascended to the White House with an economic nationalist platform that focused on strict enforcement of the nation's trade laws, a stance that has already been weakened by the administration's institution of a federal hiring freeze, nine Democratic senators said Thursday.

PRIVACY & CONSUMER PROTECTION

Google, Facebook Put Heat On Lawmakers To Reform ECPA

Google Inc., Facebook Inc., Twitter Inc., Verizon Communications Inc. and dozens of

National Institute of Standards and Technology

National Labor Relations Board

National Park Service

National Security Agency

Nez Perce Tribe

Office of Foreign Assets Control

Office of the U.S. Trade Representative

Pennsylvania Public Utility Commission

Securities and Exchange Commission

South Florida Water Management District

U.S. Customs and Border Protection

U.S. Department of Defense

U.S. Department of Education

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of State

U.S. Department of the Interior

U.S. Department of the Treasury

U.S. Environmental Protection Agency

U.S. Forest Service

U.S. House of Representatives

U.S. Patent and Trademark Office

U.S. Senate

U.S. Supreme Court

United Nations

other tech giants and privacy groups are pushing House lawmakers to quickly advance long-stalled legislation that would amend the Electronic Communications Privacy Act to create a blanket warrant requirement for law enforcement to access the contents of all digital data.

GOVERNMENT CONTRACTS

Atlantic City Fire Union Sues Over Layoffs, Contract Changes

The union representing Atlantic City firefighters urged a New Jersey federal court Friday to remand its lawsuit against state officials over claims that they are unlawfully seeking to lay off 100 firefighters and alter the union's contract, saying the officials improperly removed the matter to federal court.

DOD Officials Failed To Properly Rate Contractors, IG Says

U.S. Department of Defense officials failed to fully comply with requirements for assessing companies' performance of service, operational support and information technology contracts, potentially leaving other federal contracting officers in the dark about poor contractors, a Pentagon watchdog said Thursday.

Industry Asks Pentagon To Pull R&D Shake-Up

A coalition of defense and space industry associations has urged the U.S. Department of Defense to withdraw a proposed rule intended to crack down on contractors' purported abuses of independent research and development funding, saying Thursday that the rule is counterproductive and will harm both the Pentagon and industry.

Trump Launches Sanctions After Iran Missile Test

The Trump administration began flexing its sanctions enforcement muscles on Friday by imposing an asset freeze and commercial ban

on 13 individuals and 12 companies in connection with the Iranian government's reported ballistic missile test earlier this week.

Controversial Trump Education Pick Clears Senate Hurdle

President Donald Trump's pick for education secretary passed a key Senate vote early Friday morning, setting the stage for a close confirmation vote next week on the controversial nominee that could be the new president's first defeat in Congress.

INTERNATIONAL TRADE

Ohlhausen Calls For Reins On FTC Enforcement

The newly appointed acting chair of the U.S. Federal Trade Commission on Friday continued to lay out her business-friendly vision for the agency, saying it should intervene in the markets only when necessary.

TAX

GOP Rep. Says Stars Aligned For Transformative Tax Reform

The chairman of the House Ways and Means Committee stumped Friday for what he described as the GOP's bold, transformative tax reform blueprint to improve U.S. competitiveness by levelling a playing field stacked against U.S. exporters, arguing this year may be the best shot for a comprehensive overhaul.

Hawaii, Kansas Mull Tax Burdens On Out-Of-State Vendors

The momentum against a 1992 Supreme Court ruling barring states from collecting transaction taxes from retailers not physically present within their borders continues to grow, with Hawaii and Kansas joining a bevy of other states introducing legislation that retailers say is contrary to the ruling.

IMMIGRATION

9th Circ. Rejects Initial Trump Bid To Reinstate Travel Ban

The Ninth Circuit on Saturday denied the Trump administration's bid for an immediate pause to a ruling blocking the president's ban on travel for people from seven predominantly Muslim countries, allowing immigrants to resume entering the U.S. as usual.

ACLU Demands CBP Data On Immigration Ban Enforcement

Fifty American Civil Liberties Union chapters have filed coordinated information requests with local U.S. Customs and Border Protection offices, seeking data on how field offices have been implementing the Jan. 27 immigration ban that caused widespread chaos at international airports and other entry points.

9th Circ. Won't Rehear 'Dreamers' Driver's License Case

The full Ninth Circuit declined to rehear en banc its decision that permanently blocked Arizona from refusing to issue driver's licenses to so-called Dreamers — young adults who were brought to the U.S. illegally as minors and received deferred deportation — but did instead update its April opinion with a spirited dissent that sparked a concurrence.

Trump Immigration Ban Is Just Muslim Ban: Calif. Students

University students in California and a social services organization launched a putative class action Thursday alleging President Donald Trump's new executive order barring citizens from seven predominantly Muslim countries from entering the U.S. is an unconstitutional Muslim ban.

Mass. Judge Won't Extend Halt On Trump's Travel Ban

A Massachusetts federal judge on Friday declined to extend a temporary restraining order

blocking parts of President Donald Trump's travel ban, dealing a blow to the American Civil Liberties Union and the state of Massachusetts in their ongoing legal battle against the new administration.

Calif. Chief Justice Seeks To Aid Those With Immig. Issues

California Supreme Court Chief Justice Tani Cantil-Sakauye told a group of women lawyers at UCLA Friday that she's launched an initiative to create a clearinghouse on immigration information to let Californians know the resources available to tackle problems posed by federal changes in immigration policy.

TELECOMMUNICATIONS

FCC Chair Tees Up Small-Business Rule Relief For Feb. Vote

Federal Communications Commission Chairman Ajit Pai moved forward Thursday with his plan to exempt even more internet service providers from stepped-up transparency requirements, listing the proposed exemption vote on the tentative agenda for the FCC's meeting later this month.

New FCC Kills Review Of AT&T, Verizon Free Data Services

The newly GOP-controlled Federal Communications Commission gutted some of the last "midnight? D efforts of its Democratic predecessor Friday, including with the retraction of a probe into Verizon and AT&T zero-rating plans, in a series of moves blasted by the FCC's sole remaining Democrat as "take out the trash day."

FCC's O'Rielly To Head Fed-State Groups Involved In Telecom

Newly named Federal Communications Commission Chairman Ajit Pai said Friday that he has tapped fellow Republican Commissioner Michael O'Rielly to head three groups comprising federal and state commissioners

who collectively deal with a range of telecom issues.

FCC Seeks Public Feedback On Rules Over A Decade Old

The Federal Communications Commission on Friday launched a review process of regulations that were adopted over 10 years ago, with the agency saying it wants public feedback on which rules should be kept, changed or scrapped.

FCC's Pai Pledges House Dems Bipartisanship, Open Mind

Recently appointed Federal Communications Commission Chairman Ajit Pai assured Democratic lawmakers, in letters made public on Friday, that the commission will work with Congress in a bipartisan, transparent manner, under his leadership.

EXPERT ANALYSIS

In Congress: Cabinet Approvals, Disapproval Resolutions

Congress this week will continue to move forward on approving President Trump's cabinet nominees and disapproving federal regulations issued in the final months of the Obama administration, say Richard Hertling and Kaitlyn McClure of Covington & Burling LLP.

The Fight To Reform Container Late Charges In US Ports

A coalition of retailers, shippers and trucking groups has petitioned the Federal Maritime Commission to limit the fees that marine terminal operators can charge when a shipping container remains at a port beyond its pickup time. The petitioners' arguments that such charges are sometimes inconsistent, and may not always serve their stated purposes, are legally sound, says Asa Markel of Masuda Funai Eifert & Mitchell Ltd.